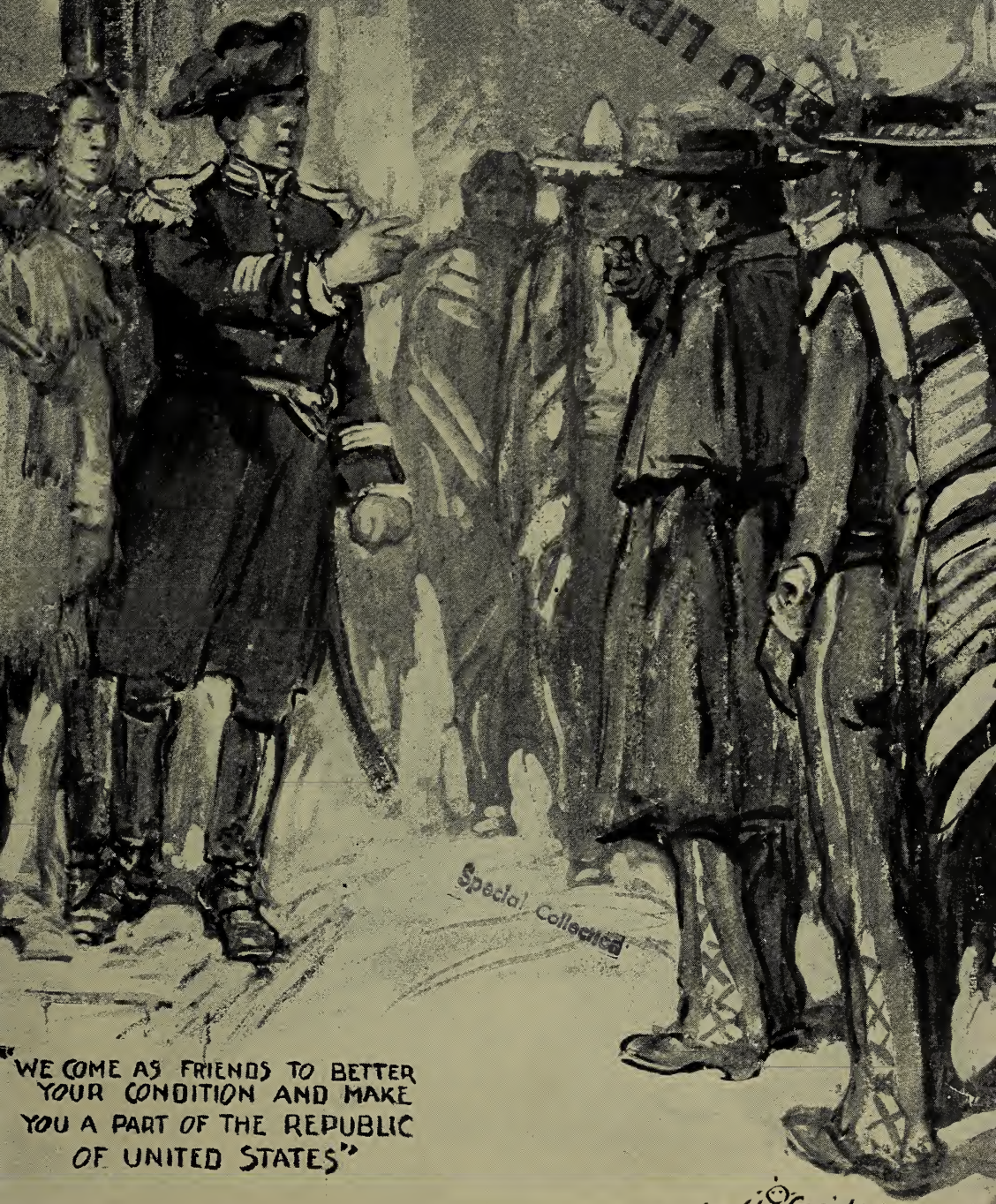


# THE CONQUEST OF SANTA FE 1846



"WE COME AS FRIENDS TO BETTER  
YOUR CONDITION AND MAKE  
YOU A PART OF THE REPUBLIC  
OF UNITED STATES"

Herald & Cassidy



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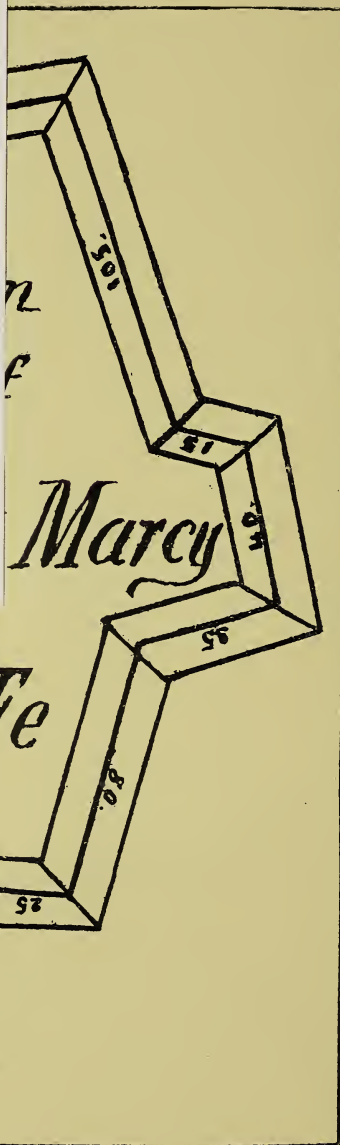
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NEW MEXICO

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No. 24

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THE STORY OF THE CONQUEST  
OF SANTA FE, NEW MEXICO,  
and THE BUILDING OF OLD  
FORT MARCY, A. D. 1846

Written and Compiled for the Historical Society  
of New Mexico

BY  
RALPH EMERSON TWITCHELL, ESQ.

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All money raised by the sale of this booklet has been contributed  
to the establishing of a fund to be known as the  
FORT MARCY MEMORIAL FUND  
which will be devoted exclusively to the restoration and main-  
tenance of that notable southwestern landmark.



## THE CONQUEST OF SANTA FE

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### INTRODUCTION

This paper has been prepared rather hurriedly, as the text will disclose, in the hope that its perusal may inspire a number of our loyal citizens with a desire to participate financially in the restoration of one of the most notable military landmarks of the great southwest—*Old Fort Marcy*; built in 1846 upon an eminence immediately adjacent on the northeast to the old Spanish Presidio in New Mexico's capital, known in the 17th, 18th and 19th centuries, and mentioned in all the ancient archives of the "Kingdom of New Mexico" as the "Casas Reales" (Royal Houses) and "El Palacio Real" (Royal Palace).

The site of this landmark in the progress of civilization from the Missouri to the Pacific, now the property of Hon. L. Bradford Prince and Mrs. Mary C. Prince, has been most generously tendered by them to the public for park and commemorative purposes, upon certain conditions always contemplated and provided for in donations of similar character, viz.: That the site shall always be used for the purposes mentioned and that certain improvements and installations be made within a reasonable period.

This magnificent gift to posterity presents more than mere local appeal. It is of state and nationwide importance. No single spot in the great southwest is more replete, in tradition, legend or recorded historical event, in the interest which envelops this landmark in the story of American sovereignty. In a land where every mile marks a monument in the history of the country, where every stone has its story, every place its legend, every trail its tradition; some of the days of the Spanish Conquerors, some of the Franciscan Martyrs, others of Indian, Spanish or Mexican rule, the site of Old Fort Marcy rises uppermost in the hearts of all patriotic citizens as the sacred spot upon which was constructed by the American government its first military establishment for the protection of American interests arising under the conquest of Santa Fe and all the areas reaching from the Arkansas to the Pacific Coast. On this spot was first made physically manifest the far reaching power

of a people within another century to be recognized as the greatest of the nations of the world.

The eminence or promontory, rising abruptly from the valley, overlooks and commands the entire city of Santa Fe. Most appropriately it has been named the Santa Fe Acropolis. In every direction are vistas of verdure-clad or barren landscapes, rugged buttes and far distant chains of towering blue mountains, or snowy ranges. Far away to the northward, the homes of the ancient cliff-dwellers, ruins of habitations high on the tops of lofty mesas; and at all points of the compass, ruins of ancient pueblo villages.

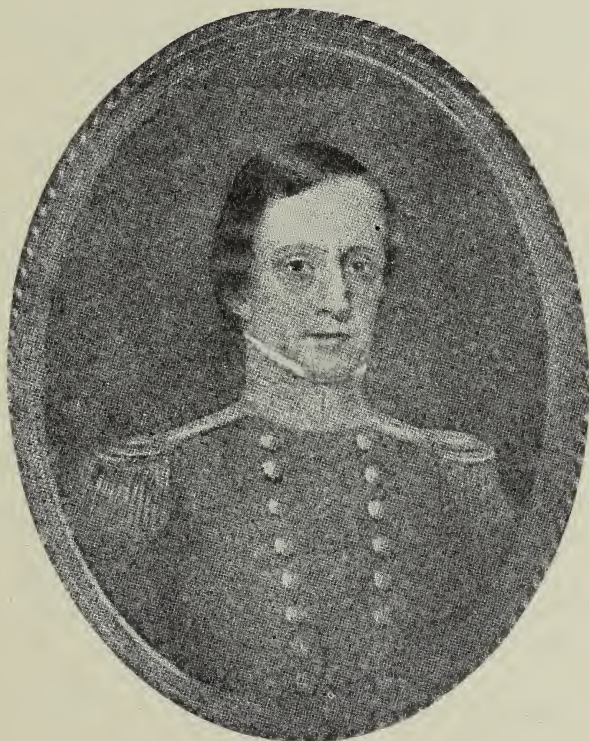
Far away, the lofty Sandias, rising from the plain, painted in tints of amethyst and lavender by the rays of a setting sun, stand guard over the valley of the Rio Abajo, formerly the home of the hostile Apache and the scene of the last campaign of the great De Vargas.

Truly, no grander or more glorious site for park or memorial purposes can be found in all southwestern United States.

In the building of a city, some intelligent conception of the duties and obligations to posterity is always requisite and necessary. In the development of this community, the people must not be unmindful of the great educational, as well as sentimental, value of our historical and archaeological remains. They are a priceless heritage. Now is the accepted time for the people of Santa Fe to save these ruins and relics from the hands of vandals and the remorseless touch of time. No other city possesses such a heritage. No other has such traditions, such romance, such glorious memories.

As Father Ryan has so beautifully declared: "A land without ruins is a land without memories! A land without memories is a land without liberty! A land that wears a laurel crown may be fair to see, but twine a few cypress leaves around the brow of any land, and be that land beauteous and bleak, it becomes lovely in its consecrated coronet of sorrow and wins the sympathy of the heart and history! Crowns of roses fade! Calvaries and crucifixes take deepest hold upon humanity! The triumphs of Might are transient; they pass away and are forgotten! The sufferings of Right are graven deepest on the chronicles of nations!"

"Yes! Give me a land where the ruins are spread  
And the living tread light on the hearts of the dead.  
Yes! Give me a land that is blest by the dust  
And bright with the deeds of the down-trodden just!  
Yes! Give me the land that hath legends and lays  
Enshrining the memories of long vanished days.



Brigadier General Stephen Watts Kearny



Yes! Give me a land that hath story and song  
To tell of the strife of the Right and the Wrong.  
Yes! Give me the land with a grave in each spot  
And names on each grave that shall not be forgot!

Yes! Give me the land of the wreck and the tomb—  
There's grandeur in graves; there's glory in gloom!  
For out of the gloom future brightness is born,  
As after the night looms the sunrise of morn.  
And the graves of the dead, with the grass over-grown,  
May yet form the foot-stool of Liberty's throne;  
And each single wreck in the warpath of Might,  
Shall yet be a Rock in the Temple of Right."

The Historical Society of New Mexico has undertaken to make the proposed gift from Governor and Mrs. Prince a reality, thereby preserving and restoring this historical post and making it the outstanding feature of one of the most beautiful parks in all the country.

To accomplish this, an appeal is made to all loyal citizens, in New Mexico and elsewhere.

In connection with this undertaking, it has been deemed worth while to give to all New Mexicans and others, who have respectful regard for the deeds of our forebears, a relation, in concise form, of the Conquest of Santa Fe, the building of this fortress, described in detail, with such other recorded facts in connection with the American Occupation of the Southwest in 1846. This will be accomplished in the chapters following, to which will be added an appendix in which the unwritten history of the negotiations had by Capt. Philip St. George Cooke and James Magoffin with Governor Manuel Armijo and Colonel Diego Archuleta, as outlined in the "Magoffin Papers," will be disclosed.



## THE CONQUEST OF SANTA FE

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### Entry of General Stephen Watts Kearny, and the Building of Fort Marcy, A. D. 1846.

The purposes for which the events in this paper are recounted do not seem to demand any extended statement relative to the War with Mexico, nor would any publication of the many documentary facts in relation to the organization and use of the American forces during the war seem to be necessary. All information of this sort is available in the many early and recent books upon the subject.

By Act of Congress of May 13, 1846, the existence of the war was recognized by the American government, and President Polk undertook the initial preparatory measures with promptness and despatch. The ports of Mexico, on the Gulf, and also on the Pacific, were blockaded, and Mexican territory invaded at several important points.

The invasion herein to be treated was that of the Army of the West under the leadership of General Stephen Watts Kearny, the romantic and perilous enterprises of which, in crossing the Great Plains, and thence penetrating Chihuahua and the Californias, caused great enthusiasm at the time and was the theme for many books and newspaper and magazine articles.

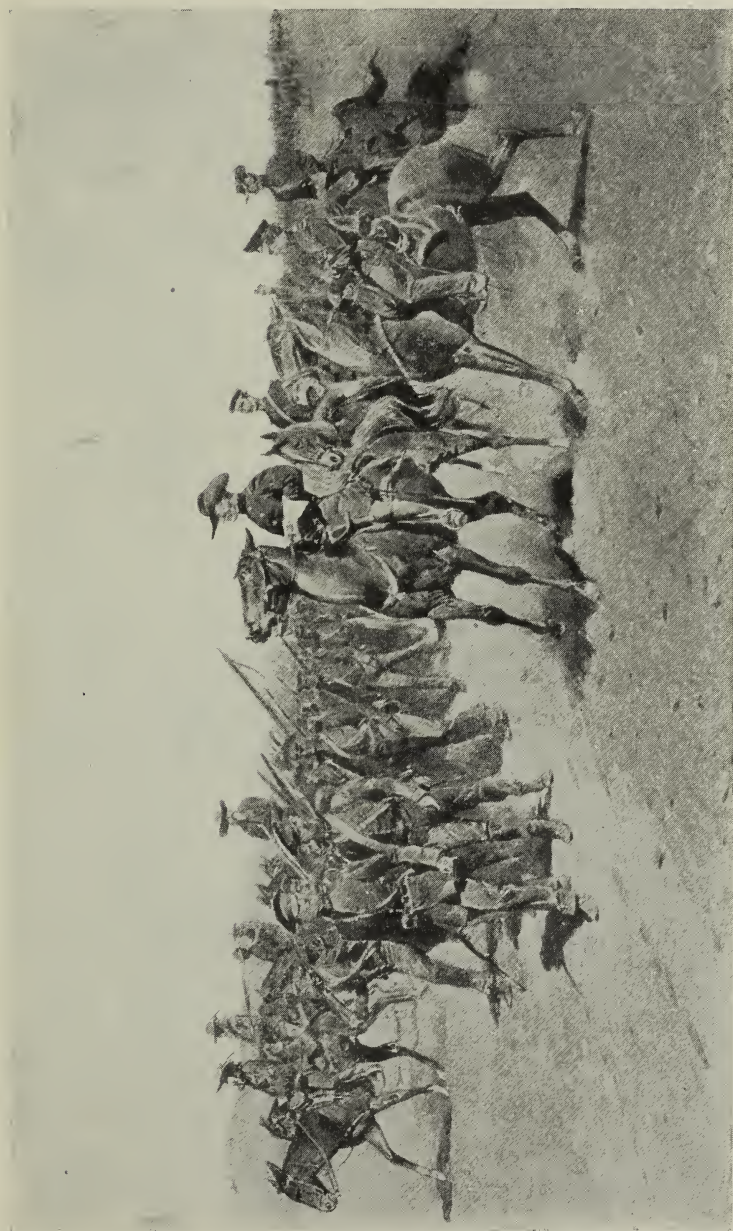
Simultaneously with the recognition of the existence of hostilities, the President was authorized to accept the services of 50,000 volunteers, to serve for twelve months, or to the end of the war. Under this call a regiment of mounted volunteers from the State of Missouri was mustered into service on June 6, 1846, at Fort Leavenworth, on the Missouri River, where, under orders from the War Department, five companies of the 1st Regiment, United States Dragoons, with one troop of Volunteer Cavalry, two companies of infantry, and two of light artillery volunteers from St. Louis, were concentrated to compose an expedition against Santa Fe, the Capital of New Mexico, the northernmost of the so-called Internal Provinces of the North of the Mexican Republic.

The command of this force was given to Colonel Stephen W. Kearny of the 1st Regiment of U. S. Dragoons.

General Kearny was descended from chivalric ancestors. He was the son of Philip Kearny and Lady Barney Dexter (Ravaud) Kearny, his wife. The founder of the family in America was Michael Kearny, who came from Ireland and settled in Monmouth, New Jersey, prior to 1716. Among his ancestors were the DeLanceys, glorious soldiers for centuries. At the age of sixteen years, he matriculated at Columbia College, New York City. "Here," his biographer says of him, "he much endeared himself to his classmates and companions; always punctiliously respectful and courteous in his deportment, he never wounded the feelings of others, while the serenity and agreeableness of his temper, joined to his unpretending modesty, stern integrity, and cool and resolute determination of character, won the highest respect of all his acquaintances. In fact, he possessed in himself, and in his nature, so much of high and chivalrous feeling, that he may be almost said to have been born a soldier."

When the second war with England was about to be declared, no persuasion of his friends or family could delay young Kearny from leaving his collegiate studies—though he was just about to be graduated with honor, it is presumed his diploma followed him later—and seeking a commission, which he received, as first lieutenant in the 13th Infantry, on March 12, 1812. He repaired promptly to his post on the Niagara frontier; and, in the fall of that year, participated in the battle of Queenstown Heights, where, with others, he was taken prisoner. Having been exchanged, he was promoted to a Captaincy in the 1st Infantry on April 1, 1813. He served through the war, with the reputation of a gallant, intelligent and energetic officer, who gave promise of rising to high distinction, should opportunity offer. On the 1st of May, 1829, he was appointed Major of the 3rd Infantry, of which he had been Brevet-Major since April 1, 1823. On the organization of the 1st Dragoons, March 4, 1833, he was commissioned the Lieutenant-Colonel; and on July 4, 1836, became the Colonel of that regiment. From this time until the outbreak of hostilities with Mexico, he was stationed in the west, at St. Louis, Mo., and at Fort Leavenworth, on the Missouri, in the Dragoon service.

In 1845, he marched with five troops of his regiment at least 2,200 miles, as a summer campaign, in 99 days, through the Indian country, a considerable portion of it a barren wilderness, carrying their provisions and stores with them, their horses subsisting on the grass of the prairies. This tour swept westward until it fell in with the "Oregon Trail"; thence into Nebraska, Fort Laramie and the "South Pass," and on to Green River and the Colorado of the West. His return was by



Army of the West Crossing the Great Plains



a route some hundreds of miles further south, arriving at Fort Leavenworth without the loss of a man.

Thus it was that Col. Kearny had acquired such knowledge of the physical features of the country, of Indian habits, and of the resources of western life, as amply qualified him to act as the pioneer and commanding officer of the expedition which he conducted to Santa Fe and later extended to Southern California.

"In personal appearance," says a contemporary writer, "he has much the look and carriage of the soldier—of good stature, erect and well-formed, his sunburnt and somewhat careworn countenance presents a face of oval proportions, intelligent, and dignified repose; while the short, black hair, rapidly verging into gray, and keen eye, indicate the energy of the man and the soldier."

Col. Kearny married the step-daughter of the celebrated William Clark, of St. Louis, who penetrated, with Merriwether Lewis, to the Columbia River in 1804-5-6.

On June 30, 1846, he was commissioned Brigadier-General. He received the brevet of Major-General, U. S. A., to date from the battle of San Pascual, December 6, 1846, in which he was twice wounded. He commanded the combined force of sailors, marines and dragoons in the battles of San Gabriel and Mesa Plains, January 8th and 9th, 1847, and was Governor of California from the date of his proclamation, March 1, 1847, until June of that year. On October 31, 1848, he fell a victim, at Vera Cruz, Mexico, to illness contracted in the service at that port.

General Kearny ranked very high in the army, and his long service in the West qualified him to direct the forces mobilized for the conquest of the far distant capital of New Mexico. When the call was made by the Governor of Missouri for troops intended to become a part of the Army of the West, the county of St. Louis, which then included the city of that name, was asked to furnish the artillery for the expedition, while the northern "river counties" were asked to furnish the riflemen.

Major Merriwether Lewis Clark, of St. Louis, a graduate of West Point, and a veteran of the War of 1812 and the Black Hawk War, undertook to raise the two batteries required. Obedient to a call published in the newspapers, many of the prominent young men of the city volunteered, influenced in some degree by the stories of the "Santa Fe traders" as to the fabulous wealth to be gained in the far off Mexican provinces. A meeting of the recruits was held May 28, 1846, in the office of a Justice of the Peace, over a blacksmith's shop on Third

Street, between Pine and Olive, where "Battery A," Missouri Light Artillery was organized.

Richard Hanson Weightman was unanimously chosen Captain. The other officers were: Andrew J. Dorn and Edmund F. Chouteau, First Lieutenants; and John O. Simpson, Second Lieutenant; the Sergeants were: John R. Gratiot, afterwards elected a Second Lieutenant while marching across the plains; Davis Moore and A. V. Wilson; the corporals, William H. Thorpe, William Clark Kennerley, Clay Taylor, J. R. White and George W. Winston. Each artilleryman was required to furnish himself with a good horse, saddle, clothing, and, in fact, everything except arms. The uniform adopted, which was similar to the fatigue dress of the regular army, consisted of a flat blue cap with red band bearing the artillery emblem, short blue jacket, with red standing collar, and trousers with red stripes, one stripe for the men and two for the officers. As a further distinguishing mark the officers wore a band of gold lace on the collar. The men all procured Spanish saddles of one pattern. The saddle was little more than a skeleton to which were attached the girth and stirrup straps, rendering it cool and light as possible for the horse. A comfortable seat was obtained by placing a Mackinaw blanket above and beneath the saddle; these blankets were also used by the men for cover. Each man had a stout leather belt, supporting a large bowie knife, and many supplied themselves with "revolving pistols," which were then just coming into use.

Stories of Indian massacres and hardships to be encountered on the Great Plains, told by friends and relatives for the purpose of discouraging the young men from going, served only to whet their appetite for adventure. They were also wrought up by the exciting narratives of an old Canadian hunter. Antoine Clement, famous in his day as the only trapper in the West who could approach a grizzly bear on foot with any hope of victory, and Antoine was going with the expedition.

Battery "A" became the *corps d'elite* of the expedition. Everybody wanted to serve under Captain Weightman and become a comrade in arms of the intrepid Antoine. The result was that Battery "B," needed to complete the organization, suffered for lack of recruits. The other organizations from the vicinity of St. Louis, Captain Fischer's German troop of Dragoons, the Laclede Rangers under Captain Hudson, and a company of Florissant mounted men, under Captain Edmondson, were all organized and ready to move before Battery "B" was complete with its quota. Finally, to expedite matters, Captain Fischer's troop was converted into a horse battery, which became Battery "B" of Clark's Battalion.

On June 13, 1846, a crowd of citizens assembled on the levee to see the men of Weightman's Battery, one hundred and five strong, embark with their horses and baggage on the steamboat for the trip up the Missouri River. At Fort Leavenworth the command was mustered in the service of the United States, but had to await the arrival of their guns from Pittsburg. Meanwhile the departure every day or so of long trains of transport wagons, with orders to push on as fast as possible, made the men impatient and despondent. Another distressing circumstance was the illness of Captain Weightman, who, it was feared, would have to be left at the Fort.

The long overland journey began on June 30, 1846. The St. Louis Flying Horse Artillery rode out of Fort Leavenworth into the Great West. To each of the eight long brass guns, the two twelve-pound howitzers and to the caissons were hitched four fine dragoon horses. As usual, with horses first put to artillery service, many mishaps arose. On the second day out, while fording a small stream, with steep banks, the drivers quickly tangled up their plunging and kicking animals, and might have stopped there forever had not the cannoneers dismounted and dragged the guns by hand up the muddy banks. Then came the prairies, with grass so high and rank that it reached to the backs of the horses, making progress very slow.

On June 27th, the Topographical Engineers started for the "grand prairies" ahead of the main column. They had with them some eight or ten "voyageurs," several pack mules, a baggage wagon and a "spring car," with four mules, to carry the instruments.

The movement from Fort Leavenworth having been completed, the troops followed the Old Santa Fe Trail, too often described to be necessary here, and about July 31st the entire force of 1,657 men concentrated at a point about nine miles down the Arkansas River from Bent's Fort. They had then marched 564 miles from Fort Leavenworth in excellent order and in fine spirits. It is worthy of remark that the two infantry companies had outmarched, and reached, on foot, the fort in advance of the mounted companies. And as showing the discipline and energy of the citizen soldiers, it is worthy of mention also that the records show that many of the battalions arrived at the hour and the whole force on the day which had been fixed by Colonel Kearny.

It was at this point that the expedition was joined by Frank P. Blair, Jr., of Missouri, who was a health-seeker at Bent's Fort at the time.

Bent's Fort is described as having been a structure built of adobe bricks. It was 180 feet long and 135 feet wide. The





General Sterling Price

walls were 15 feet in height and four feet thick and it was the strongest post at that time west of Fort Leavenworth.

The construction of this fort was commenced in 1828, the first fort erected by William Bent, at a point on the Arkansas, somewhere between the present cities of Pueblo and Canyon City, having been disadvantageously located. Four years were required in which to complete the structure. On the northwest and southeast corners were hexagonal bastions, in which were mounted a number of cannon. The walls of the fort served as walls of the rooms, all of which faced inwardly on a court or plaza. The walls were loopholed for musketry, and the entrance was through large wooden gates of very heavy timbers. Fifty-five years ago the old walls were standing and the entire structure was in a fair state of preservation, but today not a vestige remains, except possibly mounds of earth resulting from the disintegrating adobe bricks of which the walls were built.

It was near this fort that the first irrigating ditch, constructed by Americans in Colorado, was built. The lands irrigated were between the fort and the ford of the river. It was constructed under the supervision of William Bent.

At this point Kearny despatched Lieutenant DeCoursey, with twenty men, to the Taos valley, for the purpose of ascertaining the disposition of the inhabitants in that portion of New Mexico, and to inform himself as to other matters of importance, germane to the expedition, and report to the general somewhere en route. This officer rejoined the column on August 11th, on the Poñil, in what is now Colfax County, New Mexico, bringing in a number of Mexican prisoners, who gave exaggerated reports of the Utes and other Indians joining the Mexicans for the purpose of opposing the advance of the American army, at some point between Las Vegas and the Capital of Santa Fe.

On the 2nd, Captain Philip St. George Cooke was sent in advance, under a flag of truce, to Santa Fe, carrying with him a proclamation issued by General Kearny on the 31st day of July. On the 9th day of August, Cooke reached Las Vegas, where he met the Alcalde, Don Juan de Dios Maes, and was a recipient of his hospitality. The Alcalde, however, immediately despatched a swift messenger across the mountains, by a short trail, carrying a copy of Kearny's proclamation and notifying Governor Armijo of Cooke's arrival at Las Vegas. Captain Cooke, on the following day, proceeded on his journey, passing through San Miguel, where the inhabitants turned out *en masse* to see him; and on the 12th arrived in Santa Fe. Here all was excitement. The city was filled with soldiers and citizens gathered for the organization of a force to resist the American advance. Captain Cooke and his party, among whom was James

Magoffin of Chihuahua, proceeded to the Old Palace, the seat of government, and were met by the Mayor of the City, Captain Ortiz, who conveyed the news to Governor Armijo, to whose presence Captain Cooke was shortly conducted. The governor was informed by Cooke that he had been sent by General Kearny, commanding the American army, bearing a letter which he would present at the pleasure of his Excellency, and a later hour was set for the official reception of the communication. In the evening Cooke presented the letter and afterwards his call was returned by Governor Armijo, who said he would send a commissioner to meet General Kearny, and declared further that he, himself, would lead a force of six thousand men to meet the Army of the West.

It was at this meeting between General Armijo, Col. Diego Archuleta, Captain Cooke and James Magoffin, the Chihuahua merchant and trader, that the bloodless conquest of Santa Fe and the Mexican Province was accomplished, the details of which are found in the "Magoffin Papers," which appear later in this article.

The meeting must have made a profound impression upon Armijo, for on the following day, without any of the usual formalities in the preparation of such documents, he executed his last will and testament (which has not heretofore been published), as follows:

"Let it appear by these Presents, That I authorize with sufficient general power, Don Gaspar Ortiz, in case of death, or during my absence, to settle all private affairs with as much power as if my affairs were his own. He is authorized to deal and contract in my affairs, and in the event of the death of my wife before me, he shall remain in charge of all my interests without there being anyone to hinder him in the exercise of his duties until he disposes of the same, as my last will. The Civil Judges will honor this extra-judicial document as if it had been executed with all the solemnity and necessary legal clauses and provisions required in law. He has been given my instructions for the distribution of my fortune in whom and in the best manner possible without any abatement whatever, settling my testamentary with sufficient power.

"To this frank manifestation of my sentiments is witness D. Donaciano Vigil, Santa Fe, August 14, 1846.

"Witness present: "MAN'L ARMIJO (Rubric)

"Donaciano Vigil (Rubric)."

The original will is in the collection of Archives belonging to R. E. Twitchell, who purchased it, and Governor Armijo's



military camp couch, from one of his descendants, now in the collection of the Historical Society of New Mexico.

It will thus be seen that Armijo, on the 14th, five days prior to the entry of General Kearny, had made up his mind to flee the country in any event.

James Magoffin, the intermediary, who arranged matters with Armijo and his lieutenant, Col. Diego Archuleta, was of Irish parentage, his father having been born in the County Down, Ireland. His name was Beriah Magoffin, and he was married in Ireland to Jane McAfee. They emigrated to America before 1800 and settled in Harrodsburg, Kentucky, where James Magoffin was born, in the year 1799. He had six brothers and three sisters, one of whom, Beriah Magoffin, was governor of Kentucky. Beriah Magoffin married a daughter of Isaac Shelby, a granddaughter of Isaac Shelby, Sr., who was the first governor of Kentucky.

James Magoffin came to New Mexico and Chihuahua about 1828, and was married in the City of Chihuahua, in the year 1830, to Maria Gertrudes Valdez. He was engaged in the merchandizing business in Chihuahua, and was the American consul in that state. In 1844 he left Chihuahua and went to Independence, Missouri, where he bought a farm. His wife died at Independence the following year. Later in the year, with his two sons, Magoffin went to Washington and there met Senator Thomas H. Benton. He placed his two sons, Samuel and Joseph, in school in Lexington, Kentucky.

Upon the commencement of hostilities in the war with Mexico, Senator Benton sent to Independence, Missouri, for Mr. Magoffin, and he was given a secret commission by the Government of the United States and instructed to go with General Kearny to Santa Fe and pave the way of the Army of the West for the occupation of New Mexico without bloodshed, if possible. Magoffin was a man of mind, of will, of generous temper, patriotic and rich. He knew every man in New Mexico and his character, and all the localities, and was, in the opinion of Benton, of infinite service to the invading army. He agreed to go with the Army of the West, and what he accomplished at Santa Fe, where he proceeded with Capt. Cooke, is related in the "Magoffin Papers," which are published here for the first time.

Mr. Magoffin, having prepared the way for the entrance of General Kearny into Santa Fe, proceeded to the execution of the remaining part of his mission, which was to do the same by Chihuahua for General Wool, then advancing upon that ancient capital of the Western Internal Provinces on a lower line. He arrived in that city, became suspected, was arrested



One of Col. Doniphan's Volunteers  
Reprint from Hughes' Doniphan's Expedition.

and confined. He was a social, generous tempered man, a son of Erin, loved company, spoke Spanish fluently, entertained freely, and where it was some cost to entertain—claret, \$36.00 a dozen; champagne, \$50.00. He became a great favorite with the Mexican officers. One day the military judge advocate entered his quarters and told him that Dr. Connelly, an American, coming from Santa Fe, had been captured near El Paso del Norte, his papers taken, and forwarded to Chihuahua, and placed in his hands to see if there were any that needed government attention; and that he found among the papers a letter addressed to him, Magoffin. He had the letter, unopened, and said he did not know what it might be, but being just ordered to join Santa Ana at San Luis Potosi, and being unwilling that anything should happen after he was gone to a gentleman who had been so agreeable to him, he had brought it to him that he might destroy it if there was anything in it to commit him. Magoffin glanced his eye over the letter. It was an attestation from General Kearny of his services in New Mexico, recommending him to the acknowledgments of the American government in that invasion; that is to say, it was his death warrant if seen by the Mexican authorities. A look was exchanged; the letter went into the fire and Magoffin escaped being shot.

But he did not escape suspicion. He remained confined until the approach of Doniphan's expedition, and was then sent off to Durango, where he remained a prisoner to the end of the war. Returning to the United States after the peace, he came to Washington in the last days of Mr. Polk's administration and expected remuneration. He had made no terms, asking nothing, and received nothing, and had expended his own money, and that freely, for the public service. The administration had no money applicable to the object. Mr. Benton stated his case in secret session in the Senate, and obtained an appropriation, couched in general terms, of fifty thousand dollars for secret services rendered during the war. The appropriation, granted in the last night of the expiring administration, remained to be applied by the new one, to which the business was unknown, and had to be presented unsupported by a line of writing. Mr. Benton went with Magoffin to President Taylor, who, hearing what he had done, and what information he had gained for General Kearny, instantly expressed the wish that he had had some person to do the same for him, observing that he got no information except at the point of a bayonet. He gave orders to the Secretary of War to attend to the case as if there had been no change in the administration.

The secretary (Mr. Crawford, of Georgia) higgled, required statements to be filed, almost in the nature of an account, and



finally proposed thirty thousand dollars. It barely covered expenses and losses, but having undertaken the service patriotically, Magoffin would not lower its character by standing out for more. The papers which he filed in the war office furnish some material for history, some insight into the way of making conquests other than by the shedding of human blood.

On the 2nd day of August, Kearny's column left the Arkansas, proceeded down the river a short distance, and, turning to the left, marched to a point on the Timpas not far from the present station of that name of the Atchison, Topeka and Santa Fe Railway. Three days later the army reached the Purgatoire, near the present city of Trinidad. Within the next four days the Raton mountains had been crossed, and, on the 10th, General Kearny arrived at the crossing of the Cimarron River, and a day later had crossed the Ocaté. At this time quite a number of native citizens were captured by Kearny's men, and upon their persons was found a proclamation by the prefect of Taos, based upon one already issued by Governor Armijo, calling the citizens to arms to repel "the Americans who were coming to invade their soil and destroy their property and liberties."

On the 13th the column halted at the Sapello River, and the general was advised by an American gentleman named Spry, who had come from Santa Fe, that the Mexican forces were assembling at Apache Canyon, about fifteen miles from the city of Santa Fe; that the pass was being fortified, and advising Kearny to go around it.

The following day General Kearny received his first official message from Governor Armijo, which was as follows: "You have notified me that you intend to take possession of the country I govern. The people of the country have risen *en masse* in my defense. If you take the country, it will be because you prove the strongest in battle. I suggest to you to stop at the Sapello and I will march to the Vegas. We will meet and negotiate on the plains between them."

This message was delivered by an officer of lancers, accompanied by a sergeant and two privates. On the 15th the column was joined by Major Swords, Lieutenant Gilmer and Captain Weightman, who had come from Fort Leavenworth, bringing and presenting to Colonel Kearny a commission as Brigadier-General in the army of the United States. These gallant officers had heard that a battle was to be fought the following day near Las Vegas and had ridden sixty miles in order to participate in the engagement.

On the morning of the 15th, precisely at eight o'clock, General Kearny and staff galloped into the plaza of Las Vegas,

where he was met by the Alcalde, Don Juan de Dios Maes, and a large concourse of people. Pointing to the top of an adobe building, one story in height, and located on the north side of the plaza, General Kearny suggested to the Alcalde that if he would go to the top of the building, he and his staff would follow, and from that point, where all could see and hear, he would speak to them, which he did, as follows:

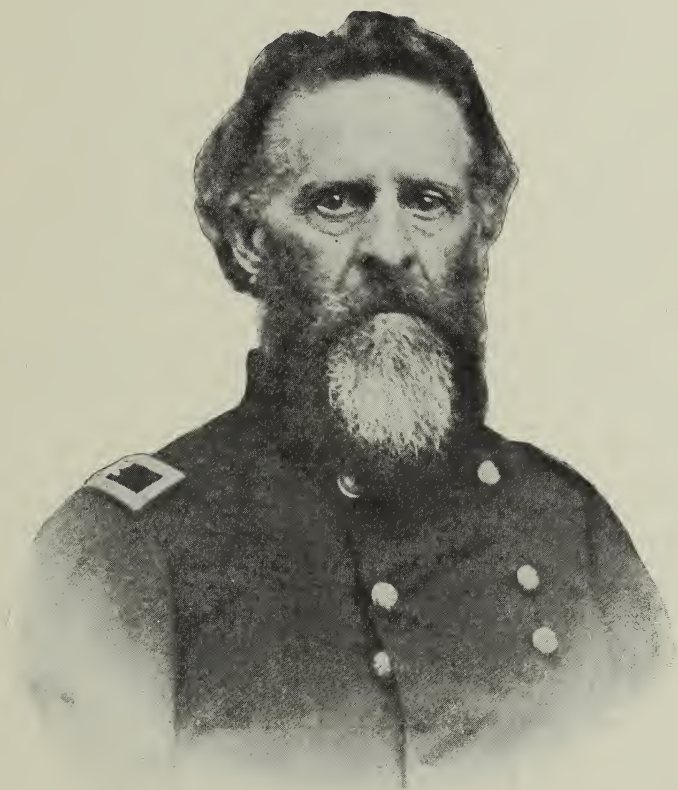
“Mr. Alcalde and People of New Mexico: I have come amongst you by the orders of my government, to take possession of your country and extend over it the laws of the United States. We consider it, and have done so for some time, a part of the territory of the United States. We come amongst you as friends, not as enemies; as protectors, not as conquerors. We come among you for your benefit, not for your injury.

“Henceforth, I absolve you from all allegiance to the Mexican government, and from all obedience to General Armijo. He is no longer your governor. (Great sensation in the plaza.) I am your governor. I shall not expect you to take up arms and follow me to fight your own people who oppose me; but I now tell you, that those who remain peaceably at home, attending to their crops, and their herds, shall be protected by me in their property, their persons and their religion; and not a pepper, not an onion, shall be disturbed by my troops without pay, or by consent of the owner. But listen! He who promises to be quiet and is found in arms against me, I will hang.

“From the Mexican government, you have never received protection. The Apaches and the Navajos come down from the mountains and carry off your sheep, and even your women, whenever they please. My government will correct all this. It will keep off the Indians, protect you in your persons and property; and, I repeat, will protect you in your religion. I know you are all great Catholics; that some of your priests have told you all sorts of stories; that we would ill-treat your women and brand them on the cheek, as you do your mules on the hip. It is all false. My government respects your religion as much as the Protestant religion and allows each man to worship his Creator as his heart tells him is best. Its laws protect the Catholic as well as the Protestant; the weak as well as the strong, the poor as well as the rich. I am not a Catholic myself; I was not brought up in that faith, but at least one-third of my army are Catholics and I respect a good Catholic as much as a good Protestant.

“There goes my army; you see but a small portion of it; there are many more behind; resistance is useless.

“Mr. Alcalde, and you two captains of the militia! The laws of my country require that all men who hold office under it



General Philip St. George Cooke

shall take the oath of allegiance. I do not wish for the present until affairs become more settled, to disturb your form of government. If you are prepared to take oaths of allegiance, I shall continue you in office and support your authority."

Beyond all question the Alcalde and the two captains did not fully appreciate the situation in which they found themselves. The captains did not protest, but looked with down-cast eyes upon the earthen roof upon which they were standing. Noticing his attitude, General Kearny said to one of them, in the hearing of all the people: "Captain, look me in the face, while you repeat the oath of office!" The oath was administered, and General Kearny, attended by his staff, descended, mounted and galloped away to the head of the column. The sun was shining brightly; for the first time since leaving the Missouri River, the guidons and colors of each squadron, battalion and regiment were unfurled. The trumpeters sounded "to horse" with spirit and the rocky hills to the west multiplied and re-echoed the call.

The army moved briskly forward to meet a force of six hundred Mexicans, which, it had been said, was in waiting at a gorge in the hills about two miles distant. The gorge was reached and passed, but not a soul was seen. One by one the guidons were furled. Onward marched the army to Tecolote, thence to San Miguel, at both of which places General Kearny re-enacted the drama which had occurred at Las Vegas.

Reports now reached General Kearny at every step that the people were rising and that General Armijo was collecting a formidable force to oppose him at the Apache Pass, near Canyoncito, about 15 miles from Santa Fe. The Army of the West proceeded on its way, over a portion of the Santa Fe Trail, and, on the 17th of August, captured the son of Damasio Salazar, a citizen of San Miguel, the individual who had so nearly accomplished the death of a few members of the Texas-Santa Fe expedition a few years before, and whose efforts in that behalf were frustrated through the influence of Don Gregorio Vigil, a man of prominence in the community.

On the morning of the 18th of August, General Kearny had reached a point 29 miles from Santa Fe. Not a hostile arrow or rifle was now between the Army of the West and the ancient capital of New Mexico. The general determined to make the march in one day and raise the American colors over the ancient palace before sundown. Fifteen miles from Santa Fe the column reached the point deserted by General Armijo. It is a gateway, which, in the hands of a competent engineer and one hundred resolute men, would have proved a second Thermopylae. Had the position been defended with spirit, General



Kearny would have been compelled to turn it by taking the road running to Ojo de Baca (Cow Springs) and Galisteo.

On the way to Santa Fe General Kearny was met by the acting secretary, who brought a letter from Vigil, the lieutenant governor, which informed the general officially of the flight of Armijo, and of his readiness to receive him in Santa Fe, with the hospitalities of the city.

General Armijo was not unlike others of his nation and time. He was not to the purple born and was of low extraction. He finally managed to obtain a foot-hold in the official circles at Santa Fe and was made collector of customs. Later he became governor; and again, after the murder of Governor Perez, was made governor of the state. He was essentially a cruel man, not only to foreigners, but to his own people. He undoubtedly entertained the same ideas of the American occupation and the causes for the war with Mexico as other state executives and military commanders of the Mexican Republic.

At the City of Mexico, and in all newspapers of the republic, great attempts had been made to exasperate the minds of the people against the Americans. The war was represented to be one for national existence, and that it was the wish of the United States to destroy the Mexican nation. It was declared to be a war of rapine and plunder, many generals, in their proclamations to the people and to the soldiery, declaring that the United States intended to oppress them, to rob their churches and desecrate their altars. General Armijo knew the falsity of these accusations and the injustice and absurdity of such imputations; nevertheless these statements were systematically promulgated throughout the country and found many believers in localities where ignorance was great and the means of truth circulation small.

General Armijo had been most active in his endeavors to rouse the people and had made statements which were very effective in some localities. He was very much concerned personally, knowing as he did the power of the advancing army, and lost no opportunity to bring to bear every pressure possible in the raising of a force sufficient to repel the American advance.

Before General Kearny had entered Mexican territory, Armijo knew of the coming of the Army of the West, and Kearny's proclamation, made at Bent's Fort, had also reached him. Armijo issued a proclamation to his people, the exact language of which has only lately come to light. In this it was proclaimed:

"The Governor and Commanding General of New Mexico to its inhabitants:

"Fellow Countrymen: At last the moment has arrived when our country requires of her children a decision without limit, a sacrifice without reserve, under circumstances which claim all for our salvation.

"Questions with the United States of America which have been treated with dignity and decorum by the supreme magistrate of the Republic, remain undetermined as claimed as unquestionable rights of Mexico over the usurped Territory of Texas, and on account of this it has been impossible to assume diplomatic relations with the government of North America, whose minister extraordinary has not been received; but the forces of that government are advancing in this department; they have crossed the northern frontier and at present are near the Colorado River.

"Hear, then, fellow citizens and countrymen, the signal of alarm which must prepare us for battle!

"The eagle that made us equal under our national standard, making of us one family, calls upon you today, in the name of the supreme government and under the Chief of the Department, to defend the strongest and most sacred of all causes. Then you knew how, by your noble efforts and heroic patriotism, without foreign help, to maintain the independence of our nation.

"Today that sacred independence, the fruit of so many and costly sacrifices, is threatened, for if we are not capable of maintaining the integrity of our territory, it will all soon be the prey of the avarice and enterprise of our neighbors from the north, and nothing will remain but a sad recollection of our political existence.

"But thanks be to the Almighty, it will not be so! The Mexicans of today are the same as those of 1810, who, although divided and without a country, subdued the power and pride of a foreign nation.

"With the army and people united in defense of our threatened independence, our outraged national honor and the rights of our villified country, they form an invincible union.

"Fellow citizens and countrymen, united with the regular army, you will strengthen the sentiments of loyalty among your defenders. Now to the call! Let us be comrades in arms and, with honest union, we shall lead to victory.

"Remember that the author and conservator of society inscribed in the golden book the following truthful words: 'A country divided within itself shall be destroyed.' Do not permit these words to escape you; do not separate your personal interests from the common cause, and, with union, resources, public spirit and true patriotism, I assure you that the Mex-



Governor Manuel Armijo

ican Republic will command the respect of its enemies and will demonstrate to the civilized world that she is entitled to be numbered among the free and enlightened nations of the earth.

"We are fortunate to have at the head of our supreme government an illustrious, honorable and patriotic general, who in the past has sustained with dignity and energy the sacred rights of our country; one who will lead us to a glorious victory. Let us now be prepared for the coming conflict which is forced upon us. Let us not belittle the power of our enemy nor the size of the obstacles we must surmount.

"The God of Armies is also the protector of the justice of nations and, with his powerful help, we will add another brilliant page to the history of Mexico, and demonstrate to the world, if possible, for impossibilities are not expected, that our beloved country is entitled to be known as a free and independent republic. Relative to the defense of this department on account of the invasion, your governor depends entirely upon your own pecuniary resources, your determination, your convictions, all founded in reason, justice, equity, and public convenience. Rest assured that your governor is willing and ready to sacrifice his life and all his interests in the defense of his country. This you will see demonstrated by your chief, fellow-countryman and friend,

"MANUEL ARMIJO (Rubric).

"Santa Fe, Saturday, the 8th day of August, 1846."

The American general, under the instructions from his government, was charged with the duty of counteracting the injurious imputations, and, in the light of the orders issued by the Secretary of War, Hon. W. L. Marcy, we clearly see why it was that General Kearny felt called upon to make the remarks made at Las Vegas and at other points between that place and the capital. The War Department did not furnish General Kearny with a proclamation, printed in the Spanish language, such as was given to General Zachary Taylor, but a few copies of the one sent to General Taylor were sent to General Kearny, and he was requested not to use them. The Republic of Mexico, at that time, was in a most deplorable condition in its administration of civil and military affairs. This condition had existed and continued, more or less, ever since the defeat of Santa Ana at San Jacinto. In December, 1845, General Herrera resigned the Presidency and yielded up the government to General Paredes without a struggle. Thus a revolution was accomplished solely by the army commanded by Paredes, and the supreme power in Mexico passed into the



hands of a military dictator and usurper who was bitterly hostile to the United States.

In the month of August, just at the time when Kearny arrived in New Mexico, the government of Paredes was overthrown and General Santa Ana, who had been in Havana since 1844, an exile from his country, returned. Revolution followed revolution. The country was divided into races, classes and parties, and with so many local divisions among individuals, it is no wonder that, in many portions of Mexico, the people were not in harmony with the powers that attempted to rule the country. The men of Spanish blood monopolized the wealth and power of the country and the mixed Indian races bore its burdens.

Some of the military chieftains desired a monarchical form of government, notably Paredes, and desired to place a European prince upon a throne in Mexico. Naturally there was jealousy and animosity between them. It was the policy of General Kearny, and of every other American general commanding an army in the war with Mexico, to reach the interests, passions or principles of some one of the parties, thereby conciliating their good will and securing active co-operation in bringing about a speedy and honorable peace. Policy and force were combined and the fruits of the former were prized as highly as those of the latter. The inhabitants were encouraged to remain in their towns and villages. They were continued in office. Kind and liberal treatment was accorded them and they were made to believe that the American army had come as a deliverer from oppressive dictatorship of military governors. Rights of person and property were carefully guarded, respected and sustained, and the troops were restrained from every act of license or outrage.

On the 31st day of July, prior to his departure from the Arkansas River, General Kearny issued a proclamation, which soon reached the hands of General Armijo. In this he declared that his entry into New Mexico with a large military force was for the purpose of seeking union with and ameliorating the condition of the inhabitants of New Mexico. That his coming was by order of the American government and that he would be amply sustained in his efforts. The people were enjoined to remain quietly at home in the pursuit of their peaceful occupations and that in this way they would not be interfered with, but would be respected and protected in their civil and religious rights, but admonishing all that those who took up arms or encouraged resistance against his government would be regarded as enemies and treated accordingly.

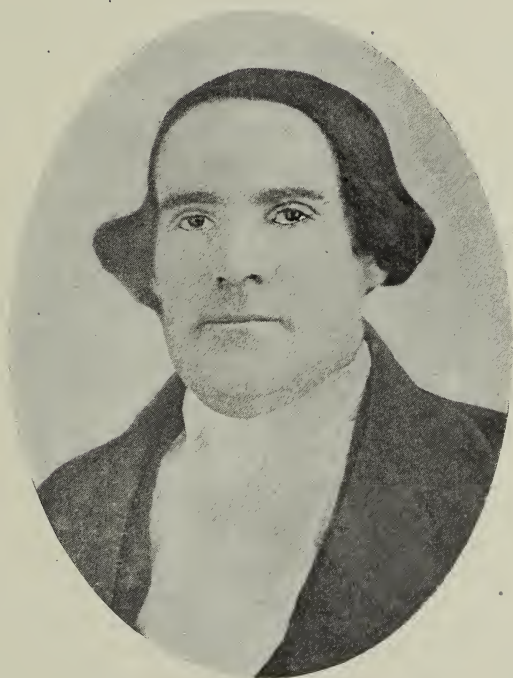
The fact that during the entire march from the Arkansas to

Las Vegas, not one act of oppression had been committed by Kearny's command doubtless had found its way into the hearts of the people who had been ruled with the sword of tyranny. But General Armijo is not to be too severely criticised for his official acts. These speak for themselves. With his personal character it unnecessary to deal. His authority came from the City of Mexico, a capital so remote that president might succeed president, the government itself might be overturned, and the news not reach Santa Fe for several months. He was governor of the province furthestmost north in the Republic. In his official conduct, he probably knew his people better than some of his critics. His acts as governor and commanding general were no different than those of other military chieftains and governors in his nation.

When he assembled his army at the Apache Pass and the dissensions arose between his officers and men, no doubt already the diplomatic leaven used by General Kearny in his several addresses, together with his acts and deeds of kindness, as well as the well known strength of the American army, had produced the effect desired, and Armijo, too well appreciating the final outcome, used this situation as an apparent excuse and fled southward, accompanied by a personal body-guard of one hundred dragoons, not knowing that at the very moment of his flight, a substantial force under Colonel Ugarte was on its way up the valley of the Rio Bravo to assist him in the defense of his country and its citizens. But the "inducement" supplied by Magoffin, had more to do with the "state of mind" in which Armijo found himself than anything else. Again, Colonel Archuleta had been amply "provided for" and he too was convinced that "discretion was the better part of valor."

The advance of the American column arrived in sight of the City of Santa Fe at three o'clock in the afternoon of August, 1846; by six o'clock the entire army was in the capital. The general and his staff, and other officers of the army, were received at the old palace by Lieutenant Governor Vigil, assisted by about thirty representative citizens of the city. Refreshments were ordered served by Governor Vigil, and, as the sun sank behind the far distant Jemez and Valles Mountains, painting the clouds which overhung the lofty ranges with a glorious combination of saffron, opal, purple and golden color, the flag of our country was hoisted over the ancient palace and a salute of thirteen guns boomed forth from cannon planted on the hills south of town where the residences of Col. B. M. Cutting and Carlos Vierra now stand.

There, in the old palace, sat the American general and his



Governor Donaciano Vigil

principal officers, the guests, enforced it is true, but still welcome, of all that was left of the men who had derived authority from the Mexican Republic; seated in a building, which, in historic interest, surpasses any other within the confines of the United States; built in the first years of the 17th century, and, down through all the succeeding years, until 1886, whether the country was under Spanish, Pueblo, Mexican or American control, it remained the seat of authority; whether the ruler was called viceroy, captain-general, political chief, department commander or governor, and whether he presided over a kingdom, a province or a territory, the old palace has been his official residence. Thoughts of the most pleasant character filled the minds of both officers and men, the former being entertained in various places in the city, at the houses of the most prominent people, the men mixing with the populace in the various resorts and bailles of the city.

On the following morning General Kearny addressed nearly all of the people of Santa Fe, assembled in the plaza for the purpose of hearing him, saying:

"New Mexicans: We have come amongst you to take possession of New Mexico, which we do in the name of the government of the United States. We have come with peaceable intentions and kind feelings toward you all. We come as friends, to better your condition and make you a part of the Republic of the United States. We mean not to murder you or rob you of your property. Your families shall be free from molestation; your women secure from violence. My soldiers shall take nothing from you but what they pay for. In taking possession of New Mexico, we do not mean to take away from you your religion. Religion and government have no connection in our country. There, all religions are equal; one has no preference over the other; the Catholic and the Protestant are esteemed alike. Every man has a right to serve God according to his heart. When a man dies he must render to God an account of his acts here on earth, whether they be good or bad. In our government, all men are equal. We esteem the most peaceable man, the best man. I advise you to attend to your domestic pursuits, cultivate industry, be peaceable and obedient to the laws. Do not resort to violent means to correct abuses. I do hereby proclaim that, being in possession of Santa Fe, I am therefore virtually in possession of all New Mexico. Armijo is no longer your governor. His power is departed; but he will return and be as one of you. When he shall return you are not to molest him. You are no longer Mexican subjects; you are now American citizens, subject only to the laws of the United States. A change of government has



taken place in New Mexico and you no longer owe allegiance to the Mexican government. I do hereby proclaim my intention to establish in this Department a civil government, on a republican basis, similar to those of our own states. It is my intention, also, to continue in office those by whom you have been governed, except the governor, and such other persons as I shall appoint to office by virtue of the authority vested in me. I am your governor—henceforth look to me for protection.”

Immediately upon the delivery of the proclamation by General Kearny, a response was made by Juan Bautista Vigil y Alarid, which is fairly expressive of the opinions entertained by a large number of the representative and influential citizens of the territory. Vigil was the official left in charge by Governor Armijo.

“General: The address which you have just delivered, in which you announce that you have taken possession of this great country in the name of the United States of America, gives us some idea of the wonderful future that awaits us. It is not for us to determine the boundaries of nations. The cabinets of Mexico and Washington will arrange these differences. It is for us to obey and respect the established authorities, no matter what may be our private opinions.

“The inhabitants of this Department humbly and honorably present their loyalty and allegiance to the government of North America. No one in this world can successfully resist the power of him who is stronger.

“Do not find it strange if there has been no manifestation of joy and enthusiasm in seeing this city occupied by your military forces. To us the power of the Mexican Republic is dead. No matter what her condition, she was our mother. What child will not shed abundant tears at the tomb of his parents? I might indicate some of the causes for her misfortunes, but domestic troubles should not be made public. It is sufficient to say that civil war is the cursed source of that deadly poison which has spread over one of the grandest and greatest countries that has ever been created. Today we belong to a great and powerful nation. Its flag, with its stars and stripes, covers the horizon of New Mexico, and its brilliant light shall grow like a good seed well cultivated. We are cognizant of your kindness, of your courtesy and that of your accommodating officers and of the strict discipline of your troops; we know that we belong to the Republic that owes its origin to the immortal Washington, whom all civilized nations admire and respect. How different would be our situation had we been invaded by European nations! We are aware of the unfortunate condition of the Poles.

“In the name, then, of the entire Department, I swear obedience to the Northern Republic and I tender my respect to its laws and authority.

“JUAN BAUTISTA VIGIL Y ALARID (Rubric),

“Governor.

“Santa Fe, August 19, 1846.”

The following day the principal chiefs of several tribes of Pueblo Indians presented themselves at the palace and gave in their submission and expressed great satisfaction over the arrival of the American forces. Their interview was long and very interesting, and, as stated by Lieutenant Emory, they narrated what is a tradition to them, that the white man would come from the far east and release them from the bonds and shackles which the Spaniards had imposed, not in the name of, but in a worse form than slavery.

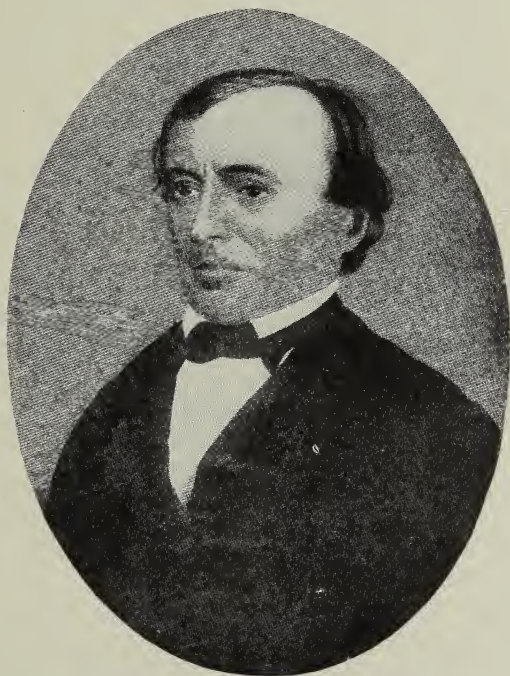
The same night a message was received from General Armijo, asking on what terms he would be received; but this proved to be only a ruse on his part to gain time in his flight to the south. From trustworthy accounts, Armijo's force, at the Canyon, was about four thousand men, tolerably well armed, and six pieces of artillery. Had he been possessed of the slightest qualifications as a general, it was possible for him to have given the American forces a great deal of trouble. During the week various deputations came to the capital to see General Kearny, some of them from Taos, all giving in their allegiance and asking protection from the Indians.

The cannon which Armijo carried away in his flight were taken by Captain Fischer and brought back to Santa Fe. The gun taken from the Texas-Santa Fe expedition was left in the mountains near Golden, the carriage destroyed. This gun was also recovered and returned to Santa Fe.

On the 22nd day of August, 1846, General Kearny issued a proclamation which produced a most salutary effect upon the people. In this document he says:

“As, by the act of the Republic of Mexico, a state of war exists between that government and the United States; and as the undersigned, at the head of his troops, on the 18th instant, took possession of Santa Fe, the capital of the department of New Mexico, he now announces his intention to hold the department, with its original boundaries (on both sides of the Del Norte) as a part of the United States, under the name of the Territory of New Mexico.

“The undersigned has come to New Mexico with a strong military force, and an equally strong one is following him in his rear. He has more troops than is necessary to put down any



Governor Charles Bent

opposition that can possibly be brought against him, and therefore it would be but folly or madness for any dissatisfied or discontented persons to think of resisting him.

“The undersigned has instructions from his government to respect the religious institutions of New Mexico, to protect the property of the church, to cause the worship of those belonging to it to be undisturbed and their religious rights in the amplest manner preserved to them; also to protect the persons and property of all quiet and peaceable inhabitants within its boundaries against their enemies the Eutaws, the Navajos and others; and when he assures all that it will be his pleasure, as well as his duty, to comply with those instructions, he calls upon them to exert themselves in preserving order, in promoting concord, and in maintaining the authority and efficacy of the laws. And he requires of those who have left their homes and taken up arms against the troops of the United States, to return forthwith to them, or else they will be considered as enemies and traitors, subjecting their persons to punishment and their property to seizure and confiscation for the benefit of the public treasury.

“It is the wish and intention of the United States to provide for New Mexico a free government, with the least possible delay, similar to those in the United States; and the people of New Mexico will then be called on to exercise the rights of freemen in electing their own representatives to the territorial legislature. But, until this can be done, the laws hitherto in force will be continued until changed or modified by competent authority; and those persons holding office will continue in the same for the present, provided they will consider themselves good citizens and are willing to take the oath of allegiance to the United States.

“The United States hereby absolves all persons residing within the boundaries of New Mexico from any further allegiance to the Republic of Mexico, and hereby claims them as citizens of the United States. Those who remain quiet and peaceable will be considered good citizens and receive protection—those who are found in arms, or instigating others against the United States, will be considered traitors and treated accordingly.

“Don Manuel Armijo, the late governor of this department, has fled from it; the undersigned has taken possession of it without firing a gun, or spilling a single drop of blood, in which he most truly rejoices, and for the present will be considered as governor of the territory..

“Given at Santa Fe, the capital of the Territory of New



Mexico, this 22nd day of August, 1846, and in the 71st year of the independence of the United States.

“S. W. KEARNY,  
“Brigadier-General, U. S. Army.

“By the Governor:

“Juan Bautista Vigil y Alarid.”

General Kearny immediately began the administration of affairs. On the very day of his proclamation to the people of the territory, August 19th, he ordered the erection of a fort, the site for which was selected within six hundred yards of the plaza. Lieutenant W. H. Emory of the Topographical Engineer Corps and Lieutenants Gilmer and Peck of the Engineers, labored assiduously, until, under their supervision, arose a most imposing structure, called Fort Marcy, in honor of the then Secretary of War, Hon. William L. Marcy of New York.

“A tall flagstaff,” says Cutts, “erected by the quartermaster’s department, spire upon spire, towering toward the heavens, and bearing the American banner, excited the wonder of the natives so far that old men were said to have walked sixty miles to see it.” (*The Conquest of California and New Mexico*. J. Madison Cutts, 1847.)

In his official report, Lieut. Emory says: “August 19, I received an order to make a reconnaissance of the town and select a site for a fort in co-operation with Lieut. Gilmer of the Engineers. This occupied me diligently on the 19th and 20th, and on the 21st, the General was furnished with the map, a copy of which is sent to the Adjutant General. The site selected and marked on the map is within 600 yards of the heart of the town and is from 60 to 100 feet above it. The contour of the ground is unfavorable for the trace of a regular work, but being the only point which commands the entire town and which is itself commanded by no other, we did not hesitate to recommend it. The recommendation was approved. On the 22nd we submitted a complete plan of the work, which was also approved. It is computed for a garrison of 280 men. On the 23rd the work was commenced with a small force; on the 27th, 100 laborers were set at work on it, detailed from the army, and on the 31st, 20 Mexican masons were added.”

John T. Hughes, in the *History of Doniphan’s Expedition*, says:

“During General Kearny’s absence, on his excursion to San Tomé, Colonel Doniphan remained in command of the troops which were left at the Capital and superintended the erection of Fort Marcy on the hill overlooking Santa Fe to the northward.” He also says, “Fort Marcy, commanding the city from

an eminence toward the north, was laid off by Lieutenant Gilmer of the Topographical Corps and L. A. McLean, a volunteer of Reid's company, and built by volunteer troops, a certain number of men being detailed each day for the purpose. Those who labored ten days or more consecutively, received a compensation of 18 cents per day in addition to their regular allowance. The figure of this fort is that of an irregular tri-decagon, and is sufficiently ample to mount a great number of cannon and accommodate a thousand soldiers. Its walls are massive, thick and strong, and are built of adobes two feet long, one foot broad and six inches thick. It is a strong fortress and perpetuates the name of the present Secretary of War."

In his official report to the Adjutant General at Washington, on September 16, 1846, General Kearny says:

"A large number of troops are daily employed under the direction of Lieutenant Gilmer of the Engineers in erecting a fort for the defense and protection of the city, and as this is the capital of the Territory, a new acquisition to the United States, the fort will be an important and permanent one, and I have this day named it Fort Marcy, and now ask for a confirmation of it."

The fort was finished in the closing days of September, according to the report of Lieutenant J. W. Abert of the Topographical Corps. He says:

"October 2. In a little while we reached Agua Fria. Soon Fort Marcy came into view and our glorious flag with its graceful stripes playing in the wind . . . In the evening we visited Fort Marcy. It is situated on a prominent point of the bluff commanding the city. The distance of the center of this work, from the flagstaff to the plaza, is but 644 yards. The whole of the interior is defiladed from all the surrounding heights within range; ten guns may be brought to bear upon the city. The slopes are revetted with adobes. The block house and magazines are constructed of pine logs one foot square. The only approachable point is guarded by the blockhouse, which also assists to protect the entrance to the fort."

"From these various official reports," says Governor Prince, we can judge somewhat of the importance of this fortification, which was the key to the whole of New Mexico, and altogether the most notable of any structure built in the newly acquired region in the southwest."<sup>1</sup> Lieut. Abert illustrated his report with a number of pictures drawn by himself; one of which is of the City of Santa Fe taken from the rising ground on the south side. This shows Fort Marcy very distinctly on the point of the

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Note 1: History of Fort Marcy. L. Bradford Prince, Santa Fe, New Mexico.



City of Santa Fe—1846

promontory standing to the north and east. He also made an excellent drawing of the *Parroquia* or Parish Church, with Fort Marcy in the background. Referring to this he says in his report:

"In the evening I made a sketch of the *Parroquia*. Although mud walls are not generally remarkable, still the great size of the building compared with those around, produces an imposing effect. Fort Marcy is seen lying close on the top of a high bluff and behind it rise the tops of magnificent mountains."<sup>2</sup>

The exact elevation of Fort Marcy was taken in 1887, by Messrs. Haviland and Seligman, civil engineers, who made report as follows:

"According to instructions, we ran a set of levels from the Plaza to Fort Marcy, and drove three spikes: the first one at the western edge of the old fort; the second, 1,000 feet back on the road; and the third, 2,000 feet back on the same road. We submit the following result:

"First spike: 152 feet 2 inches above the foot of monument in the Plaza.

"Second spike: 185 feet above same.

"Third spike: 219 feet above same.

"The extreme length of the fort proper was 270 feet and its width 180 feet; the total length between the exterior walls of the surrounding moat was 400 feet, and width 300 feet. The gateway was directly to the east, and opposite to that was the redoubt or block-house, just 100 feet distant and nearly square in form, with extreme dimensions of 85 feet on the north, south and west, and 95 feet on the east. At the northeasterly corner of this redoubt was a tower for observation; and this is still the highest and most favorable point from which to enjoy the wonderfully extensive view around the whole circle of the horizon."

"In the extent and variety of their panoramic views," says Prince, "the heights crowned by Old Fort Marcy, at Santa Fe, are absolutely unique. One may travel from ocean to ocean and from the Gulf of Mexico to the 'Frozen Sea,' but nowhere will he find their counterpart. The lofty summits of the Blue

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Note 2: The *Parroquia* was built upon the site of the church erected by Fr. Alonzo de Benavides A. D. 1622. This edifice was destroyed in the Pueblo revolution of 1680. The *Parroquia* was restored or built between the years 1711 and 1715 by the Governors and Captains-General Don Jose Chacon Medina Salazar y Villasenor, Marques de la Penuela, and Don Ignacio Flores Mogollon. The former had in 1708-10 already rebuilt the Chapel of San Miguel, constructed about the middle of the seventeenth century and also partially destroyed in the revolution of 1680. This chapel was built for the use of Tlascalcan or Mexican Indian members of the Colony of Spaniards who were the founders of the Villa of Santa Fe. Under the high altar in the old *Parroquia* rest the remains of the Re-conquistador General de Vargas, and also those of the Fray Geronimo de la Llana (who established the Mission of Quarai in 1642, died in Taiique July 19, 1659) and Fray Asencio Zarate (who served at Picuris, dying there in 1632).



Ridge and the Alleghanies, of the Rockies and the Sierra Nevada, afford wonderful views of natural grandeur and all the magnificence and sublimity of mountain scenery. From the spire of some lofty church or the tower of a mighty modern sky-scraper, you can gaze downward at the business blocks of the bustling city, and see for miles around the houses and trees and gardens of its environment. But from the still solid walls of Fort Marcy, you view a horizon rendered uneven and interesting by the peaks and mountain ranges, whose names are household words among the people; and within its circle lies the most ancient capital in our country, half hidden by its wealth of shade and foliage, and presenting a succession of public buildings, ecclesiastical and civil, some old and some new, some of stone, some of adobe, some of brick or concrete, and some of wood, which represent the history of centuries and the changing conditions of generations.

"Apart from the sublimity and beauty of the landscape, every building and every locality has its own story of romantic interest, and each far reaching road or mountain pass can tell of marchings and conflicts, of attacks and retreats, of defeats and victories.

"Is there anywhere else such a scene, for extent and for variety? It embraces within its farthest limits nearly or quite three thousand miles of area; more than half of Connecticut; nearly one-third of Massachusetts or New Jersey; once and a half the size of Delaware; and more than double that of Rhode Island—such is the view from the heights of Old Fort Marcy."

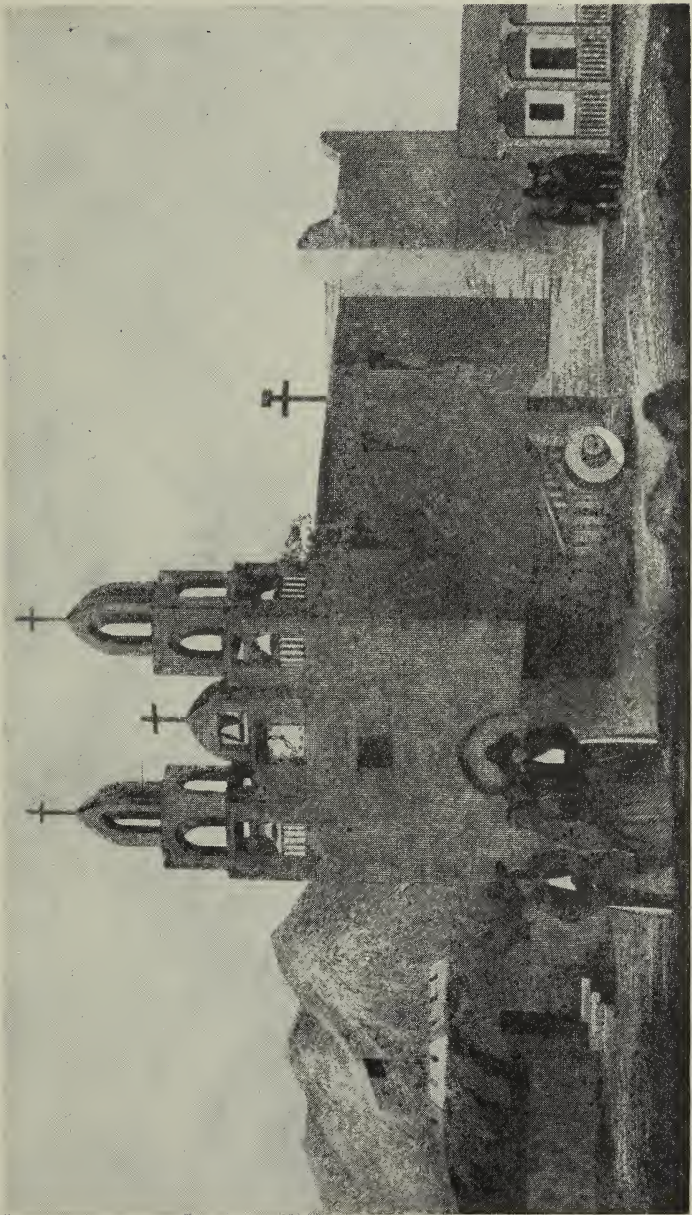
Having returned from a brief excursion into the Rio Abajo, as far as Peralta and Tomé, in Valencia County, on the 24th of September, 1846, general orders were issued designating the force to accompany Kearny on his march to California. It consisted of three hundred United States 1st Dragoons, under Major Sumner, who were to be followed by the battalion of Mormons, five hundred in number, commanded by Captain Cooke.

Colonel Doniphan's regiment was to remain in New Mexico until relieved by Colonel Price's regiment, which was daily expected to reach Santa Fe from the United States, when the 1st Missouri Mounted Cavalry, under Doniphan, was directed to join General Wool, at Chihuahua. The two batteries of artillery were divided; one company, Captain Weightman's, to accompany Colonel Doniphan. The battalion of infantry, under Captain Angney, was directed to remain in Santa Fe. Thus was the Army of the West divided into three columns, to operate in regions remote from each other and never again to be united in one body.

On the morning of the 25th, the column was ready for its long march to the Coast, and, at two in the afternoon, left Santa Fe and reached Albuquerque on the 29th, at which place the Rio Grande was crossed; thence the valley was followed to the Jornada del Muerto and thereafter, across the plains into the valley of the Rio Mimbres, from which locality Kearny proceeded westward to the Pacific Coast, reaching San Diego in December.

The conquest of New Mexico was complete; achieved without the loss of a man or the firing of a gun, the work was finished. Kearny and Doniphan, going out from the then western border of civilization, marching upwards of a thousand miles through lands overrun with hostile Indians, making a circuit equal to a fourth of the circumference of the globe, providing for the army as they went, returned with trophies taken from fields the names of which were unknown to themselves and their friends. History has but few such expeditions to record. "New Mexico, itself so distant and so lately the Ultima Thule, the outside boundary of speculation and enterprise, so lately a distant point to be obtained, became itself a point of departure for new and far more extended expeditions."

The fruits of this great expedition, coupled with the greatest successes of the naval and military forces of the United States operating simultaneously on the coast of California, time has shown to have been inestimable in value to our country. New Mexico and California, conquered but afterwards ceded by Mexico to the United States, an area of territory embracing nearly ten degrees of latitude, lying adjacent to Oregon and extending from the Pacific Coast to the Rio Bravo, gave an empire to the United States and its acquisition was second only in importance to the purchase from Napoleon, of Louisiana, in 1803. Gold had not been discovered in California; the great copper mines of the present state of Arizona had not been dreamed of by men of Anglo-Saxon blood, and the immense agricultural and horticultural resources of the golden state, not to mention those of the states of New Mexico and Arizona, had not been given the slightest thought by the statesmen of that day. The possession of the ports of San Diego, Monterey and San Francisco immediately enabled the United States to command the commerce of the Pacific Coast, and at that time, in the whaling business alone, the capital invested exceeded forty millions of dollars. Today the assessed valuation of property in some of the cities of California exceeds by many millions of dollars the entire cost of the war with Mexico; a single copper mine in the state of Arizona has produced copper bullion of greater value, in dollars, than the total amount of



The Parroquia



the national debt of our country after the war with Mexico was over, and the value of the coal and coke already produced in the coal regions of New Mexico and Southern Colorado, at the time of the occupation, a part of Mexico, exceeds the cost of all that portion of the United States embraced within the Louisiana Purchase and the territory acquired by the annexation of the Republic of Texas, as well as that secured under the terms of the Treaty of Guadalupe Hidalgo.

This old fortress was maintained until the years immediately preceding the breaking out of the Civil War. The government also used the old palace and all the buildings which had been occupied by the Mexican authorities for military purposes. These buildings, after the Civil War, were either torn down or repaired, and the military reservation or post extending from the Plaza to the old Federal building on the north was surveyed and thereafter was officially known as Fort Marcy. Very substantial sets of officers' quarters, barracks for the men and office buildings were erected and thereafter occupied until the abandonment of the post as a military establishment in 1894.

The "inside" history of the "inducements" offered to Governor Armijo and Col. Diego Archuleta, whereby a bloodless conquest of Santa Fe was assured, appears in the transcript of the papers on file in the archives of the War Department in Washington, which were filed by James Magoffin in support of his claim for expenses, etc., incurred at the time of his interviews with the Mexican authorities in company with Capt. Philip St. George Cooke, both of whom were acting pursuant to authority of the American Government. These papers appear in the concluding chapter of the narrative.

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## THE MAGOFFIN PAPERS\*

War Department,  
Washington, June 18, 1846.

Sir:

At the request of the President I commend to your favorable consideration the bearer hereof, Colonel James W. Magoffin. Mr. M. is now and has been for some years a resident of Chihuahua and extensively engaged in trade in that and other settlements of Mexico. He is well acquainted with the people of Chihuahua, Santa Fe and intermediate country. He was introduced to the President by Col. Benton as a gentleman of intelligence and most respectable character. The President has had several interviews with him and is favorably impressed with his character, intelligence and disposition to the cause of

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\*Courtesy W. F. Connelly, Kansas State Historical Society.



the United States. His knowledge of the country and the people is such as induces the President to believe he may render important services to you in regard to your military movements in New Mexico. He will leave here for Santa Fe immediately and will probably overtake you before you arrive at that place. Considering his intelligence, his credit with the people and his business capacity, it is believed he will give important information and make arrangements to furnish your troops with abundant supplies in New Mexico. Should you apprehend difficulties of this nature it is recommended to you to avail yourself in this respect and others of his services for which he will as a matter of course be entitled to a fair consideration.

Very respectfully,

Your obt. serv.,

W. L. MARCY,

Secretary of War.

Colonel S. W. Kearny.

Hon. W. L. Marcy,  
Secretary of War,  
Washington City.

Santa Fe, August 26, 1846.

Sir:

I arrived at Bent's Fort on 26 July, where I found Genl. Kearny, presented the letter I received from your hands, and was well received. The Genl. on the 1st day of August dispatched Capt. Cooke with 12 Dragoons accompanied by myself, with a letter to Governor Armijo which was delivered on 12th inst. 10 P. M. We were well received, and dined with his excellency, had a long conversation with him and proved to him from Genl. K. letter that the troops then entering the Department were only to give peace and protection to the inhabitants and assured him that I had been dispatched by the President of the United States in order to inform him and the rest of the good people of New Mexico with whom I was acquainted that this was the only object of our Govmt. I found many of the rich of the Department here, also the militia officers, with whom I had ample intercourse. I assured them the only object of our Govmt. was to take possession of New Mexico as being a part of the territory annexed to the U. S. by Texas and to give peace and quietude to the good people of the country which gave them entire satisfaction. Was then assured by Col. Archuleta, 2nd in Command, that he would not oppose Genl. K.'s entrance, etc. Genl. Armijo on the 15th ordered his troops, say 3,000 in number to be placed between two mountains with four pieces of artillery on the road by which our army had to pass, having promised Genl. K. to have an interview with him in his note borne by Capt. Cooke, 14th inst.

say some 50 miles dist. at a place called the Vegas, Armijo left this place early on 16th with 150 Dragoons and joined his army, called his officers together and wished to know if they were prepared to defend the territory. They answered they were not, that they were convinced by the proclamation they had from Genl. K. that the U. S. had no intention to wage war on New Mexico, on the contrary promised them all protection in their property, person and religion. Armijo, *apparently*, appeared very much exasperated, gave orders for the troops to be dispersed and in 48 hours they were all at their homes, he himself leaving for the state of Chihuahua, with say 100 dragoons, maltreating all good citizens on his route, and pressing their animals. Genl. Kearny entered this city on 18th 5:00 o'clock P. M., the authorities and people of the place being ready to give him a hearty welcome, marched up to the Palace, entered the apartment prepared for him, and his *servt.*, made a handsome and appropriate speech to the authorities after which they all swore allegiance to the United States. The palace was crowded and many bottles of generous wine was drank being prepared for the occasion by the acting Governor. The next day, by request of the Genl., the people were assembled in the public square where he addressed them in a very handsome manner, after which the people shouted long live our *General* and the *United States*.

The clergy of the province have all called on the Gen'l. since his arrival and have returned to their homes perfectly satisfied. I had the honor of accompanying the Genl. and the staff to high mass last Sunday. The church was filled with natural and adopted sons of the United States and all passed off in the most perfect order. The Genl. gave on yesterday a splendid ball at the Palace, which was universally attended by all the respectable citizens of the city, and passed off in handsome style. The fact is to make a long story short.

Genl. Kearny by his mild and persuasive manners has induced the good people of New Mexico to believe that they now belong to the greatest nation on earth, and that the *stars and stripes* which are now so gallantly waiving over the capitol of this City will always give them ample protection from foreign foes. The Genl. will leave this place on a visit to some of the principal towns on the Rio Grande and I will leave with him and proceed to Cha. with all possible speed. Will give you all the news from there as soon as practicable after the arrival of General Wool.

My respects to the President, and believe me to be

Yours truly,

J. W. MAGOFFIN..



Col. Diego Archuleta in 1883

Washington City, April 4, 1849.

Hon. Mr. Crawford,  
Secretary of War.

Sir:

The remark which you made that Mr. Marcy said there was no "*contract*" with me for my services in Mexico, and the time that has elapsed since without hearing anything more, naturally makes me uneasy, and I write this brief statement for the purpose of showing my views of my case.

I certainly made no contract with the Government, nor did such an idea enter my head. I engaged, at the request of President Polk to go to Mexico, where I had been for many years, to be of service to our troops, and I took what he gave me, *towit*: letters to accredit me to the Generals. They did accredit and employ me. I went into Santa Fe ahead of Genl. Kearny and smoothed the way to his bloodless conquest of New Mexico. Gen. Archuleta would have fought; I quieted him. It was he who afterwards made the revolt which was put down with much bloodshed by Genl. Price. Fight was in him, and it would have come out at first, carrying Armijo with him if it had not been for my exertions. I recommended to Genl. Kearny to give him some place, which would compromise him, which the General intended to do, but was prevented by some cause to me unknown, and the consequence was the revolt at Taos, the death of Governor Bent, and all the bloodshed that took place. Archuleta fled to the South and did not return till after the peace. He was second in command and had about a thousand of the best troops in New Mexico and if he had held out for resistance, Armijo would have been obliged to have done the same, and a bloody resistance would have been made in the defiles through which General Kearny had to pass. Bloodless possession of New Mexico was what President Polk wished. It was obtained through my means. I could state exactly how I drew off Archuleta, from his intention to fight. The papers which I file, Doc. Connelly's letter, Major Cooke's and Capt. Turner's, all allude to it, and Genl. Kearny's was explicit.

After this service I went forward under the directions of General Kearny to render the same service to General Wool. I entered Chihuahua, he did not arrive, and that led to my imprisonment to the great loss of my property and the vast expenses which I had to incur, it was to smooth the way for General Wool that I went to Chihuahua. If he had come I should probably have done as much for him as I did for General Kearny.

I have neglected my business for three years, have not been



with my family during that time, have made great expenses and suffered great losses and the statement of items which I presented is not an *account*, but a statement to give some idea of what it would take to remunerate me if the service I rendered is above paid.

I was engaged in June 1846 by the President and Secretary of War in the presence and with the knowledge of Senator Benton. The service and the engagement was acknowledged by President Polk, after I got back, in presence of Senator Atchison and the only reason for not paying me was the want of money, see Mr. Atchison's certificate, then Mr. Atchison sent a resolution to the Military Committee of the Senate to inquire into making an appropriation for me. My papers were before the committee and no other claim, I am informed, and the \$50,000 was reported to cover my case.

Senator Atchison has gone away, Senator Benton is going and I begin to feel uneasy about my compensation and beg your attention to my case.

Yours respectfully,

J. W. MAGOFFIN.

THE UNITED STATES, Dr.

To J. W. MAGOFFIN.

To secret and personal services in the Mexican War under special engagement with President Polk, commencing from the 18th June 1846 when I left Washington City in the employment of the Government until I got back in February 1849, being two years and eight months of time and extending to Santafe, Chihuahua, and Durango.

The service being secret, accounts and vouchers could not be kept, but the items which make up the above amount are as follows:

- |   |             |
|---|-------------|
| 1st. My time, a merchant in business which I had to neglect for two years and eight months, pr. mo.   |             |
| \$300   | \$ 9,600.00 |
| 2nd. My expenditures, to wit:   |             |
| from Washington to Independence, Mo.  | 50.00       |
| for 1 small waggon with springs   | 150.00      |
| for 1 pair horses,  | 160.00      |
| for 1 pair mules,   | 160.00      |
| for an escort of 6 Mexicans to El Paso, after leaving Genl. Kearny,   | 150.00      |
| of money received in Chihuahua as per certificate of V. Commercial Agent of the U. States, which was expended in bribes in that city in order to extricate from the military judge, |             |

Gen. Kearny's written statement of my services in Santafe, New Mexico, directed to the Secretary of War, Washington, 3,800.00

Ford. \$14,070.00

Amount brot. forward, \$14,070.00

#### Expenditures continued.

of money recd., in Durango, as pr. letter of J. Beldin, Durango, with my acceptance inclosed, which was paid to the Auditor of War of that City for releasing me from my imprisonment 1,100.00

of money recd. from J. Randell & Co. as pr. bill and recpt. given to a Mexican friend for making the arrangement with the Auditor, 500.00

for entertainments,

to officers military and civil and influential citizens at Santafe, Chihuahua and Durango, to accomplish the object of promoting the interests of the United States, 2,000.00

claret wine being worth per dozen \$18.00

champagne " " " " 36.00

Paid for subsistence during the time for self horses and servants, wages and clothing, charged for as a *Colonel of Cavalry*, my duties keeping me with officers of all ranks up to the Governors and generals, 2 years, 8 months, per mo., \$118.50 3,792.00

#### 3rd. *Sufferings.*

Nine months' imprisonment at Chihuahua, and Durango, (cant be estimated).

#### 4th. *Losses.*

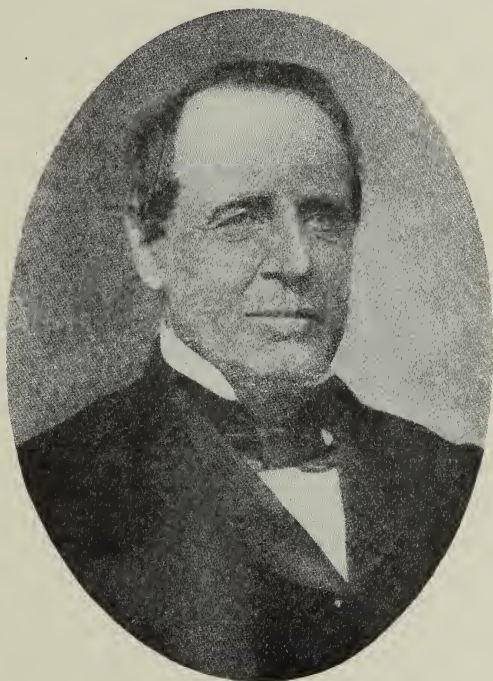
sustained by an attack made by the Apache Indians, whilst traveling from Santafe to Chihuahua, consisting of a waggon (before charged), trunk, clothing and money 350.00

Ford. \$21,812.00

Amount brot. forward \$21,812.00

#### Losses, continued.

Sustained at Chihuahua, during my imprisonment as pr. statement of Mr. Jno. Potts, certified by the Vice Commercial Agent of the



Governor Henry Connelly

United States, being a suffering in purse as well as in body, for that imprisonment,	15,968.96
	<u>\$37,780.96</u>

The above is submitted, not as an account against the United States, but as data to assist in forming an opinion of the amount that ought to be paid me for my services, by showing what they cost me; as for the services themselves they cannot be valued in money. The bloodless conquest of a province and the conciliation of the feelings of an invaded people, are services above money value and these I rendered at great cost, loss and danger to myself. I had peculiar means to be serviceable, and that was known to the Government. I had been consul at Saltillo and Chihuahua fifteen years. I was a merchant in a large business; I spoke the language of the country, was married to a Mexican lady, had a general acquaintance with the inhabitants and had the influence which attaches to such a position in such a country. I went ahead of Genl. Kearny and secured his unopposed march into Santafe. I went down the country and conciliated the people. The bloodless conquest of N. Mexico and the easy advance of our troops was the *finest*: and these are services which cannot be estimated in money. I only show what they cost me. General Kearny gave to my brother Saml. Magoffin at Santafe, a written statement of my services, addressed to the Secretary of War, a letter all in his own handwriting to be forwarded to me at Chihuahua by the first safe opportunity. My brother forwarded by Dr. Connelly. He was taken prisoner at El Paso and all of his papers seized and forwarded to the military judge at Chihuahua, where I was then prisoner, and the authorities on the search for testimony against me. The military judge brought the letter to me. (Genl. Kearny's was one inclosed in one from my brother) without having shown it to the Governor or General. We understood one another; he told me to tear it up, which I did in his presence, for I was a prisoner and it was not safe for either of us that I should keep it. That affair cost me \$3,800, and deprived me of General Kearny's statement to lay before the Government. He wrote it as a matter of precaution and justice to me just before he left for California, and his death has prevented me from ever seeing him again.

The whole \$50,000. mentioned in the law I might well claim, but the sum of \$40,000, will be received in full satisfaction.

J. W. MAGOFFIN.

#### CLAIM OF JAMES W. MAGOFFIN.

On an examination of the papers presented in this case, the following facts appear:

That on the 18th of June, 1846, at the instance of the Pres-



ident, Mr. Magoffin, was commended by the War Department to the favorable consideration of General Kearny, then in command of a military expedition to Santa Fe, and to the commanding officer of the expedition to Chihuahua, as a person who then was, and had been for some years a resident of Chihuahua, and extensively engaged in trade in that and other settlements of Mexico, that he was introduced to the President by Col. Benton, as a gentleman of intelligence and most respectable character, that the President being favorably impressed with his character, intelligence, and disposition to the cause of the United States, believed he might render important services to both those military movements, to the extent needed, and that his credit with the people and his business capacity would enable him to give important information and make arrangements to furnish the troops with abundant supplies, that he was therefore recommended to these respective commanders, who were requested in case they should apprehend difficulties of this nature, to avail themselves, in this respect, and others, of his services, for which he would as a matter of course, be entitled to a fair consideration.

It further appears that Mr. Magoffin joined Genl. Kearny at Bent's Fort, on the 26th of July, 1846, and at the instance of that General, accompanied Capt. Cooke with a flag and letter to Governor Armijo, at Santa Fe, where by his influence and address, he was instrumental in neutralizing the hostile feelings of the Mexican authorities in that quarter, and in obtaining for our troops the peaceful possession of that place. That after this was effected, he proceeded with General Kearny on a visit to some of the principal towns on the Rio Grande, where he left that officer, and continued his route to Chihuahua, near which place, in the fall of 1846, he was taken prisoner by the Mexican authorities and afterwards sent to Durango, where he remained in confinement until released, the date of which release is not stated, although he is said to have been in confinement nine months.

For the services rendered by him, the expenses incurred in rendering them, and the losses he sustained by reason of his capture, etc., Mr. Magoffin presents the following claim amounting in all to \$37,780.96:

1. For his time, being a merchant in business which he had to neglect for two years and 8 months, at \$300 per month, \$ 9,600.00

*Remark.* If this amount is intended as an equivalent for the services he is supposed to have rendered, considering their importance, and the risk he incurred, it may not be deemed

too high, being at the rate of only \$3,600 a year.

2. For expenses between Washington City and El Paso, including an escort of six men, after leaving Genl. Kearny, 670.00

*Remark.* The items in this charge appear reasonable, with the exception of \$160, paid for a pair of mules, which is considered high.

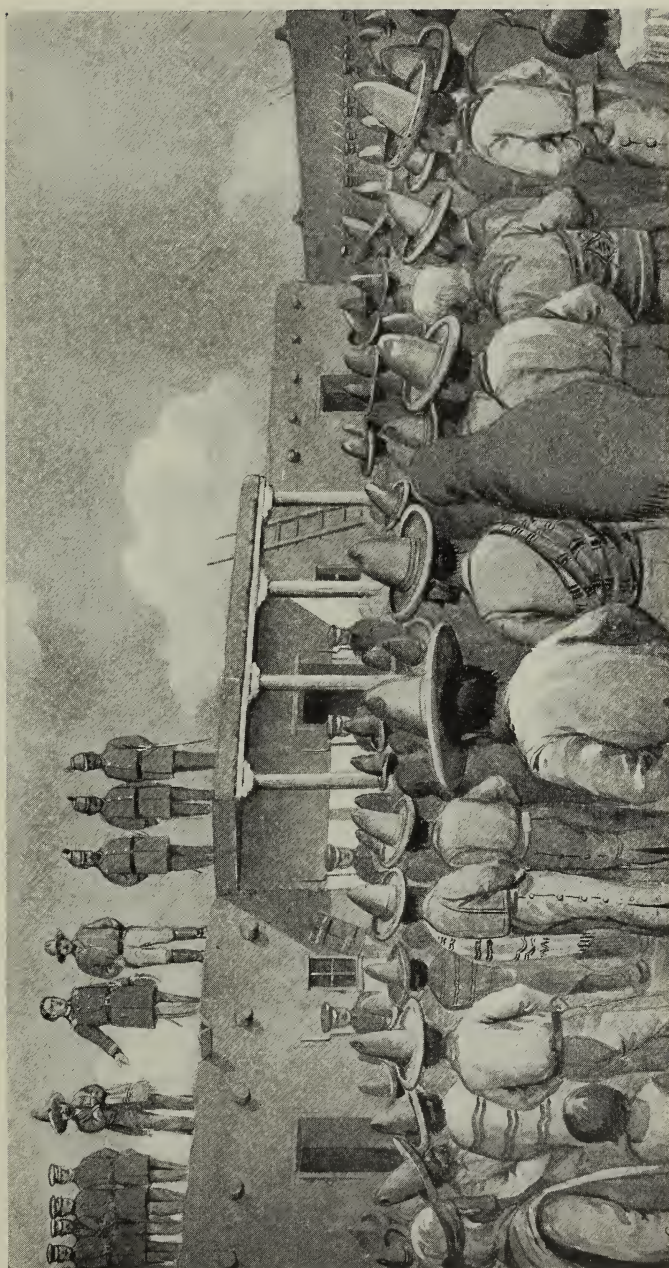
3. For amount expended in bribes in Chihuahua to obtain possession of Genl. Kearny's statement of his services in Santa Fe, then in the hands of the military Judge and which, if not destroyed, would have placed his life in jeopardy, \$3,800.00

*Remark.*.....There is no evidence but the declaration of Mr. Magoffin that the money was so expended. It is presumed from the transpiring circumstances that these bribes were actually paid, and that they were the means of releasing him from the fate which appears to have awaited him, on account of the important secret services he rendered in obtaining peaceable possession of Santa Fe, and I should think he ought in justice to be remunerated. It is not an unusual thing for Governments to seek, even at considerable cost, to obtain the release of their secret agents, taken by the enemy as spies, the efforts on the part of the British authorities in respect to the capture of Andre may be suggested as a case in point. Had the papers in the case of Magoffin been preserved it would have been the means of convicting him as a spy.

4. For money paid by him to the authorities in Durango for his release from imprisonment, 1,100.00  
And for money given to a Mexican friend for making arrangements for that release, 500.00

*Remark.* There is no evidence to support these charges, which rest upon the mere declaration of Mr. Magoffin. The letter of Mr. Baldwin referred to by the claimant, in proof, merely mentions the return to Mr. Magoffin of his acceptance for \$1,100, in favor of the former, but the object for which the money was expended does not appear.

5. For entertainment to officers, military and civil, and to influential citizens of Santa Fe, Chihua-



General Kearny and the Army of the West at Las Vegas, 1846



hua and Durango, to accomplish the object of promoting the interests of the United States, 2,000.00

*Remark.* If this item had been confined to Santa Fe, it would have been better understood, and perhaps might not be deemed too high a charge, considering the importance of the object obtained by them. But how entertainment in Chihuahua and Durango could have promoted the interests of the United States, while the claimant was a prisoner in those cities, or even after his release when he was compelled to act with great circumspection, is not sufficiently clear. This would seem to require some explanation.

6. For subsistence for himself, horses and servants, wages and clothing, charged as a *Colonel of Cavalry*, 3,792.00

*Remark.* In admitting the reasonableness of the charge in the 1st item of the claim for time and services rendered at the rate of \$3,600 per annum, it was intended to include subsistence, forage, servants, and clothing. As Mr. Magoffin has charged these items separately and at the rate allowed to a Colonel of Cavalry, there is a propriety in paying for his services, at the same rate. The pay and emoluments of a Colonel of Cavalry, including such items as these, do not exceed \$3,600 per annum, I think therefore they should not be allowed, if the 1st item of the claim is admitted.

7. For losses sustained in consequence of an attack made by the Apache Indians, while traveling from Santa Fe to Chihuahua, consisting of a wagon (before charged), trunks, clothing and money, 350.00

*Remark.* This item is inadmissible. The government cannot be held to pay for the loss of the private effects of its agents. Besides, the charge for the loss of the wagon, if admitted, would be equivalent to paying twice for the same article, the wagon being already charged in the item of the claim under expenses from Washington to El Paso.

8. For loss sustained at Chihuahua during his confinement, in consequence of duties levied upon



his goods, after Doniphan's departure from that place, 15,968.96

*Remark.* The evidence in support of this item is the certificate of Mr. Jno. Potts, which goes to show that he purchased from Mr. Saml. Magoffin 311 bales of merchandise belonging to Mr. James Magoffin then a prisoner in Durango—that the merchandise was purchased on time, and at an amount equal to its original cost, and an augmentation of 50 per cent of the expenses thereon to the city of Chihuahua, with a guarantee that the purchaser should not be responsible for duties of any kind whatsoever. The certificate further states that this property would not have been disposed of by Mr. Saml. Magoffin at a rate so ruinous to his brother's interest, but for the utter impossibility of removing it from Chihuahua and the fear of its being seized by the authorities of Mexico, to which danger it was exposed from the retirement of Col. Doniphan from that city, who had no sooner withdrawn his forces, than the Mexican Governor levied duties upon this merchandise to the amount of \$15,968.96, which amount was paid by Mr. Potts and afterwards refunded by Mr. James Magoffin.

Admitting that this is a correct statement of the transaction—that the goods were sold at the sacrifice, as stated, and that the amount of duties levied upon them by the Mexican Governor was at the cost of Mr. Magoffin, it does not necessarily follow, that the losses he thus incurred are a fair charge against the United States, growing out of his secret services. The same exaction on the part of the Mexican Government, would, no doubt, in all probabilities have been made, had Mr. Magoffin been in the exercise of his privileges as an American merchant, residing in Chihuahua, and he can have no greater claim to indemnification than any other American merchant, then residing in that city and who sustained similar losses.

From an examination of all the papers in support of the account presented by Mr. Magoffin, and admitting that the serv-

ices rendered by him were important, and were justified by the authority given for his employment as special agent, the following items in that account may be considered a fair charge against the United States, towit:

1. For his time and services,	\$ 9,600.00
2. For his expenses from Washington to El Paso,	670.00
3. For amount paid as bribes for his safety	3,800.00
4. For amount paid to affect his release from prison	1,600.00
5. For expense of entertainment given by him,	2,000.00
	<hr/>
	\$17,670.00

The items rejected for reasons given, are,

6. For subsistence for himself, horses, servants, etc.,	3,792.00
7. For loss of private baggage captured by Indians,	350.00
8. For loss by duties, levied upon his merchandise	15,986.96
	<hr/>
	\$20,128.96

In consideration however of the important services rendered by Mr. Magoffin in aiding to overcome resistance on the part of the Mexican authorities in the conquest of New Mexico, as shown by the letters of Lt. Col. Cooke and Maj. Turner of the Army, and the heavy losses he has sustained during the late war with Mexico, as well as his suffering while a prisoner in the enemy's hands, I recommend that he be allowed the sum of \$30,000.00 in full of all demands against the United States.

Respectfully submitted,

GEO. W. CRAWFORD,

Secretary of War.

To the President.

April 1, 1849.

Harrodsburgh, Ky., June 22, 1847.

My dear Sir:

Permit me to call to your attention, and that of the President, the situation of Mr. Jas. Magoffin, whose widowed mother and numerous relatives of whom I am one, all reside in this place and vicinity, consisting of half of this county (Mercer, Ky.). He was taken prisoner near Chihuahua last fall and condemned to be shot as a Mexican traitor having lived in that place as a merchant and was returning to Chihuahua to look after his affairs from *Santa Fe*, having been of essential service to General Kearny was in advance of him on his march to California. His sentence was suspended at the request of Governor Armijo, his wife being his relation, Mr. Magoffin never became a citizen of Mexico, altho authorized to be so, always declined. His wife is dead and his children are at school in this state and Missouri, when Col. Doniphan approached Chihuahua



Caravan Entering Santa Fe  
From Gregg's Commerce of the Prairies

he was sent off a prisoner to Durango where I understand he is now detained, still subject to his original sentence. Will you be so good as to request General Taylor to take immediate steps for his safety and release. Mr. Magoffin was born in this place and his friends take a deep interest in his release.

I hope you will indulge me in saying a few words about the Mexican War, which has been conducted so far with an energy honorable to the President and yourself, in the face of an opposition dishonorable to the leading Whigs whose hypocrisy is only equalled by their impudence, many of them would disgrace their country to injure the President. I hope you will go straight ahead without regarding their clamors. The people are getting right in this State, and if we do not elect some three or four Democrats, it will not be for want of trying. In this District Mr. Charles A. Wickliffe is making a strong impression. His opponent is compelled to say he will vote men and money for the war, altho he is foolish enough to say that the President blundered into the war and that Texas is not worth having or California either, and this is weakening him with honest Whigs. There seems to be some uneasiness as to what we are to do if Mexico still refuses to treat. For my part I think our course is a plain one. I know something of the Spanish character. They are a proud, haughty people and kindness and forbearance is lost upon them. Gratitude is not one of their virtues, and conciliation can only be made through their fears. The masses are ignorant and under the *absolute control* of their priests, who are venal and corrupt. Touch their money and you reach their hearts. Make it their interest to have peace and we will soon have it. They care not for the common people and it is only when they are made to feel that they become humble as spaniels. When Genl. Scott reaches the city of Mexico his first duty will be to unite with one of their parties, the priests included, and have a government organized to suit the times. Capture St. Ana, Alamonte, Salas, and others or drive them out of the country. If any more of their generals, colonels, etc., are taken send them all to New Orleans, release none of them. They will promise anything when in our power, and the next moment betray and cut our throats, and if nothing else will do separate the northern provinces from Mexico, as Yucatan now is, but we will have to protect any party we may side with for some time. There is too much ignorance to understand *at present* a federal Government, and a central Government never can control the whole. We must have California and New Mexico, at least by way of indemnity, and then there the Rio Del Norte may be the line to a line running west of the Gila river. England may be induced to agree to



this by paying the purchase money to her creditors, but it is true that England and France have heretofore by their intrigues created all this hostile feeling in Mexico against the United States.

It is now their interest to have peace. I know that England for years kept the feelings of all the South American Republics jealous of us and at this moment they can do much for peace if they choose. Our Whig papers and speeches in Congress have done more to keep up this war than anything else. General Scott should be instructed to *embargo* all newspapers going to the city of Mexico or suspicious letters, as they have their spies and partisans at Washington City and at New Orleans—*stop this channel of communication*, and you stop all the fuel to this war. Cut it up root and branch and let martial law prevail in the city of Mexico and Vera Cruz. If General Scott and Taylor will do this we will not hear of any more Corwin's speeches or "our Friend" in the United States. It is not generally known what immense number of our papers are sent to all those South American Republics and to Mexico. When at Bagota from 1833 to 1837 I could always find the National Intelligencer and other Whig papers, abusing our Government when mine were left behind.

Yours truly with high respect,

ROBERT B. McAFEE.

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I do hereby certify that being in Santafe, N. Mexico in August 1846, before the arrival of Genl. Kearny, and being intimately acquainted with Col. Diego Archuleta, and having an opportunity of conversing with him particularly on the subject of impeding the entrance of the U. S. Forces into that city.

Allways found him determined to make all possible resistance having in his Command 1000 soldiers, the best New Mexico could produce. On the arrival of Capt. Cooke and J. W. Magoffin August 13th was requested by Mr. M. to give him my opinion respecting the intentions of Genl. Armijo, and particularly that of Col. Archuleta, which I did, informing him that the Genl. was not determined but the Col. was decided in making all possible defence and his opinion would be adhered to by a majority of the officers. I then left Santafe with many other Americans by permit of Genl. Armijo, believing it would be unsafe to remain in the City, leaving behind Magoffin who remained for what purpose I knew not believing a strong resistance would be made a few miles from the city must say that I was much astonished as well as gratified to find that Genl. K. met with no opposition on his entry into Santafe. On the contrary was received with much courtesy by the acting Governor

of the City and the rest of the authorities, Mr. Magoffin being one of the number on his reception at the Palace. The day before Genl. K. Entrance, some few leagues distant, Genl. A. called his officers around him in order to consult what would be the best measure to adopt. Col. Archuleta being second in command gave as his opinion that it was unnecessary to make a defence, this was adopted by all. The troops were then disbanded and Genl. A. retreated with a Company of Dragoons to Chiha. Col. Archuleta retired to his country residence. The opinion of Col. Archuleta was surprising to many, knowing his previous determination was entirely contrary, Mr. Manus and Palacios, Mexicans of the first standing in this city being in New Mexico before and on the arrival of Genl. K. and knowing the positive intention of Genl. Armijo and particularly of Col. Archuleta was to defend the place, retired immediately to this city and reported to the Governor that J. W. Magoffin had been the cause of non resistance and that he had bought over Genl. Armijo and Col. Archuleta. This information with others led to the imprisonment of Magoffin on his arrival at El Paso. I was also imprisoned on my arrival there a few days. Afterwards I was brought down in company with Magoffin to this city in October.

This is in substance what occurred under my knowledge.

Chihuahua, Sept. 20th, 1848.

HENRY CONNELLY.

Commercial Agency of the United States, Chihuahua, Sept. 20, 1848.

I, Alfonso C. Anderson, Vice-commercial Agent of the United States for the City of Chihuahua, certify that this day personally appeared before me Henry Connelly, a gentleman of high standing and character in this City; who being duly sworn made oath and declared that the foregoing document to which this is connected, and to which he has signed his name is true in every respect, and that his signature thereto is genuine and deserving full faith and credit.

In witness whereof I have hereunto signed my name and affixed my official seal, the day and date above written.

ALFONSO C. ANDERSON,

(Seal)

Vice-Coml. Agt.

Philadelphia, February 21, 1849.

To J. W. Magoffin, Esq.,

Dear Sir:

If the following statement of such of your important services as came to my personal knowledge during the invasion of New Mexico can serve to elucidate your sacrifices and risks during the war, it gives me pleasure to make it.



Kit Carson in 1846

I shall not easily forget the pleasure which your company gave me when I preceded the army with a flag, from Bent's Fort to Santa Fe, nor the advantages of your knowledge of the country and its language.

I am strongly impressed with the skill you exhibited not to compromise your old influence over the Mexican General, by an *appearance* of your real connexion with myself (even furnishing an interpreter, rather than appear on the official occasion). At night, however, you accompanied Genl. Armijo to my quarters when, by your aid, we had a secret conference. I then understood the Mexican Governor's real disinclination to actual resistance, to which, I believe, according to your instructions, you gave important encouragement particularly in neutralizing the contrary influence of the young Colonel Archuletta, by suggesting to his ambition the part of bringing about a *pronunciamento* of Western New Mexico in favor of *annexation*; (Genl. Kearny's first proclamation claiming only to the Rio Grande).

I had personal knowledge of the high opinion which the General entertained of your discretion and services; and, that it may well be considered a piece of good fortune, that at the expense of a large bribe, you were suffered to destroy the General's own statement of them only shows how narrowly you escaped with your life, in your further efforts to serve our Government in Chihuahua.

With high respect, sir, I remain,

Your ob. Servant,

P. ST. GEORGE COOKE,

Major 2 Drags.

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Washington, March 23, 1849.

The Honorable Mr. Crawford,  
Secretary of War.

Sir:

In a conversation with the late President of the United States, Mr. Polk, he informed that Col. Magoffin was introduced to him by my colleague Col. Thomas H. Benton, and from Col. Magoffin's intimate knowledge of the Mexican affairs and his intimate acquaintance with the leading men in New Mexico and Chihuahua, he deemed it important to secure his services for the government of the United States in that quarter during the war and engaged his services accordingly.

He further said that he was ready and willing to make a just allowance for such services, but that there was no appropriation of money for that purpose.



An appropriation was made at the last session for such services growing out of this claim.

Your obt. servt.

DAVID R. ATCHISON.

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I hereby certify that in the month of April, in the year 1847, Mr. Samuel Magoffin sold some three hundred and eleven bales of merchandise which he stated to be the property of his brother, Mr. James Magoffin, then a prisoner of war in the state of Durango, said three hundred and eleven bales I purchased on time at a cost of an amount equal to their original cost and an augmentation of 50 per cent of the expense thereon to this city, with a guarantee that I should not be responsible for duties of any kind whatsoever.

I further certify that Mr. Samuel Magoffin would not have disposed of this property at a rate so ruinous to his brother's interest, but for the utter impossibility of removing it from Chihuahua and the fear of its being seized by the authorities of Mexico, to which danger he was much exposed from the precipitate retirement of Col. Doniphan from this city, who had no sooner withdrawn his forces than the Mexican government called on me to pay duties on the same which amounted to fifteen thousand nine hundred and sixty-eight dollars 96c, \$15,968.96, which I was compelled to satisfy and which sum has been refunded to me lately by Mr. James Magoffin.

JOHN POTTS.

Chihuahua, Mint  
Mexico, 1st of Oct. 1848.

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Commercial Agency of the United States,  
Chihuahua, October 1st, 1848.

I, Alfonso C. Anderson, Vice-Commercial Agent of the United States, for the city of Chihuahua, certify that this day personally appeared before me John Potts, a subject of Great Britain, who is personally known to me and is a gentleman of high standing and character in this city, who being duly sworn, made oath and declared that the foregoing document to which this is connected and to which he has signed his name is true in every respect; Further that his signature thereto is genuine and deserving full faith and credit.

In witness whereof I have hereunto signed my name and affixed my official seal the day and date above written.

ALFONSO C. ANDERSON,  
Vice Comml. Agt.

(Seal)



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